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MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 7

Volumes W-Y

February 25, 1864 - March 24, 1868

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NOTES ON ROLL 7

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The first volume contains the minutes of the Court from February 25, 1864, to January 5, 1866; the second, from January 8, 1866, to February 28, 1867; and the third, from April 1, 1867, to March 24, 1868.

VOLUME

W

Thursday Fe

Pursuant to adj
morning at the

The Hon: Ja

Ward H.
Daniel

Proclamation

On motion of
behalf by Hon
that John W.
State of Wisc
practice as
of this Coun

nuary 25th 1864.

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journment the Court rid this
Capitol.
Present:
mes M. Wayne
hn Catron
aml. Nelson
obert C. Grier — Associate
xamen Clifford — Justices
oah H. Swayne
mL F. Miller
avid Davis
tephen J. Field
Lamon Esq Marshal
Wesley Middleton Clerk

being made the Court is opened

ist made to the Court in this
: Caleb Cushing, it is ordered
Carey Esq of Milwaukee
ould in be admitted to
Attorney & Counsellor
& he was sworn accordingly

Charles Fossat
vs Appt
The United States

111

The argument of this cause was continued by Mr Wells of Counsel for the United States.

Henry Vallette, impleaded with the La Crosse & Milwaukee R.R Co: & others
vs Appts
Greene C. Bronson & James T. Soutter, Trustees &c

134

Appeal from the District Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by Counsel. On Consideration whereof it is ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Wisconsin for further proceedings to be had therein in conformity to the opinion of this Court. Mr Jus: Nelson

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday February 26th 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: James M. Wayne
John Catron
Sam'l Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam'l F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq. — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon: Jeremiah S. Black, it is ordered that Jedd P. C. Cottrill Esq of Milwaukee State of Wisconsin, be admitted to practice as attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf

by Hon: W. B. Allison, it is ordered that Ferdinand C. D. McKay Esq of Des Moines State of Iowa, be admitted to practice as Attorney and Counsellor of this Court & he was sworn accordingly

On motion first made to the Court in this behalf by Hon: W. B. Allison, it is ordered that Edward A. McKay Esq of Naples State of New York be admitted to practice as Attorney and Counsellor of this Court & he was sworn accordingly

111 Charles Fossat vs The United States

The argument of this cause was continued by Mr Williams & Mr Carlisle of Counsel for the Widow & heirs of José E. Berreyesa, deceased. Intervenors.

Proclamation being made the Court is adjourned until Monday morning at Eleven o'clock

Monday February 29th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M Wayne
John Catron
Sam'l Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam'l F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon: O. H. Browning, it is ordered that Lawrence Weldon Esq of Clinton State of Illinois, be admitted to practice as attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by R. H. Gillet Esq it is ordered that Asher P. Nichols Esq of Buffalo, State of New York be admitted to practice as attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Hon: Thomas Ewing it is ordered that Thomas G. Mitchell Esq of Cincinnati State of Ohio be admitted to practice as attorney & counsellor of this Court & he was sworn accordingly.

137 The United States in Appln vs José Justo Morrillo & Maria Clara Nieto his wife — Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the Transcript of the record from the District Court of the United States for the Southern District of California & was argued by Counsel. On consideration whereof, it is now here ordered adjudged & decreed by this Court that this cause be and the same is hereby dismissed.

per Mr Jus: Miller

Monday February 29th 1864. Continued

Dissenting
Mr Jus: Clifford
" " Davis

Inocencio Romero &c
vs Appls
The United States

Appeal from the District Court of the United States for the Northern District of California.

116

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California & was argued by Counsel On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Jus: Clifford

Albertus C Spaine
Committee of Mary M. McRea
vs Compls & appls
Robert J. Brent, adm.r of
James Hamilton and ae

Appeal from the Circuit Court of the United States for the District of Columbia

96

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by Counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be & the same is hereby affirmed with costs. And that this cause be and the same is hereby remanded to the Supreme Court of the District of Columbia.

per Mr Jas: Wayne

Dissenting
Mr Jas: Miller
Mr Jas: Swayne

111 Charles Forsal
&c Appl
The United States

The argument of this cause was continued by Mr Hudson in support of his motions to dismiss the appeals of Parrell & al Intervenors, & by Mr Atts: Gen[l] Bates of Counsel for the United States.

Proclamation being made the Court is adjourned until tomorrow Morning at eleven o'clock.

Tuesday March 1st 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: James M. Wayne
John Catron
Sam[l] Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam[l] F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

Charles Doss at
111 vs appl
The United States

The argument of this cause was continued by Mr Atto. Gen[l] Bates for the United States, & by Mr Black of Counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Wednesday March 2d 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	James M. Wayne	
	John Catron	
	Saml. Nelson	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Saml. F. Miller	
	David Davis	
	Stephen J. Field	
Ward H. Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Jeremiah S. Black it is ordered that Hon: Gordon N. Mott of Carson City Territory of Nevada be admitted to practice as attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by W. R. Beebe Esq, it is ordered that Edgar F. Browne of New York City, State of New

York be admitted to practice as attorney & Counsellor of this Court, & he was sworn accordingly.

On Motion first made to the Court in this behalf by J. A. Wells Esq, it is ordered that Edward C. Carrington of Washington District of Columbia be admitted to practice as attorney & Counsellor of this Court, & he was sworn accordingly

Charles Gossat
vs appl
111 The United States

The further argument of this cause was postponed in consequence of the indisposition of Mr Jus: Grier until Tuesday next.

The United States
154. vs appl
Valentine Calvalho

This cause was argued by Mr Wells of counsel for the United States.

	Dr Lorma Brooks	The argument of this
	vs Appl	Cause was commenced
10	Warrick Martin	by Mr Howe of counsel
		for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock.

Thursday March 3d 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M Wayne
John Catron
Saml. Nelson
Nathan Clifford — Associate
Noah H. Swayne — Justices
Saml. F. Miller
David Davis &
Stephen J. Field

Ward H. Lamon Esq. — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr H. Carpenter Esq it is ordered that Joshua H. Doe of Milwaukee State of Wisconsin, be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly

Thursday March 3d 1864 Continued

So Lorma Block		The argument of this
158	v	cause was continued
	appl	by Mr Carpenter of
Warrick Martin		Counsel for the
appellee.		

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday March 4th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
John Catron
Saml. Nelson
Nathan Clifford — Associate
Noah H. Swayne — Justices
Saml. F. Miller
David Davis &
Stephen J. Field

Ward H. Lamon Esq — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened

John Reynolds &
Josiah E. McClure
vs Appeal
Robert Forsyth

328

The argument of the motion to dismiss this cause was commenced by Mr Browning in support of the same & concluded by Mr Ballance in opposition thereto. Whereupon this Court not being now sufficiently advised of & concerning what order to make in the premises took time to consider.

Levi Bronson
vs Appls
200 The Milwaukee &
Chicago R. R. Co.

The argument of the motion to dismiss this cause was commenced by Mr Curry in support thereof, & concluded by Mr Carpenter in opposition thereto. Whereupon this Court not being now sufficiently advised of & concerning what order to make in the premises took time to consider

John Reynolds &
Josiah E. McClure
vs Plffs in Er
328 Robert Forsyth

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that this cause be & the same is hereby dismissed with costs.

per Mr Jus: Wayne

366

The Schooner Swing & Cargo. appts
vs
The United States

Appeal from the Circuit Court of the United States for the District of Maryland.)

The Attorney General of the United States of counsel for the appellees having filed & read in open Court the following Certificate to wit:

The United States of America
District of Maryland.

In the Circuit Court of the United States
April Term 1863.

The United States
vs
The Schooner Swing & Cargo

Appeal from the District Court of the United States. Thomas Stone Ridgely, Proctor for Claimants

James I. Pendergast, & Charles H. Pendergast claimants.

May 19. 1863. Decree of the District Court reversed & decree of condemnation & forfeiture

May 19. 1863. Appeal prayed to the Supreme Court of the United States, returnable 1st Monday in December 1863.

In testimony that the foregoing is a true copy of the proceedings in the Circuit Court of the United States for the fourth Circuit & for the Maryland District.

I hereunto subscribe my name & affix the seal of the said Circuit Court this seventeenth day of February in the year of our Lord one thousand eight hundred and sixty four

(Seal)

Thos Spicer. Clk
C C

And having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, Now here moved the Court in pursuance of the Ninth rule of this Court to have this appeal docketed & dismissed. On consideration Whereof it is now here ordered & adjudged by this Court that this appeal from the Circuit Court of the United States for the District of Maryland be & the same is hereby docketed & dismissed with costs, and that this cause be & the same is hereby remanded to the said Circuit Court of the United States for the District of

Maryland for further proceedings to be had therein in conformity to law & justice the said appeal notwithstanding

Jor Mr Jus: Wayne.

The claimants of a lot of goods & Chattels. Consisting of Machinery
vs Appls
The United States

Appeal from the Circuit Court of the United States for the District of Maryland.

367

Mr Attorney General Bates of counsel for the appellees having filed & read in open Court the following certificate to wit:

The United States of America
District of Maryland to wit
In the Circuit Court of the United States
April Term 1863.

The claimants of a lot of goods & Chattels Consisting of Machinery
vs Appls
The United States

Appeal from the District Court of the United States

Geo: W. Dobbin
Proc for claim.

John N. Duvall owner & Claimant by William Howard his agent.

May 27th 1863 Judgment of the District Court adjourned

May 27th 1863. Appeal prayed to the Supreme Court of the United States. Returnable 1st Monday in December 1863.

In testimony that the foregoing is a true copy of the proceedings in the Circuit Court of the United States for the fourth Circuit in & for the Maryland District, I hereunto subscribe my name and affix the seal of the said Circuit Court this seventeenth day of February in the year of our Lord one thousand eight hundred & sixty four

Seal

Thos Spicer Clk
Ct. Ct.

And having stated that the appellants had altogether failed to file the record of said cause in this Court, & in any way to prosecute said appeal, Now here moved the Court in pursuance of the Ninth rule of this Court to have this appeal docketed and dismissed. On Consideration whereof, it is now

were ordered & adjudged by this Court that the appeal from the Circuit Court of the United States for the District of Maryland be & the same is hereby docketed & dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law, and justice the said appeal notwithstanding.

Per Mr Justice Wayne.

William Dayton &
Edward Jerviss, Claimants
of the Schoone Monterey & Cargo
368 vs Appls
The United States

Appeal from the Circuit Court of the United States for the District of Maryland

The Atto: Genl Bates of Counsel for the appellees having filed & read in open Court the following Certificate to wit:

The United States of America
District of Maryland to wit:

In the Circuit Court of the United States
April Term 1863.

The Claimants of the
Schooner Mallory
& Cargo
vs
The United States

Appeal from the District Court
of the United States.

Andrew Stewart Ridgely
Proctor
for Claimants

William Taylor & Dennis
Dennis. Claimants.

May 19th 1863. Decree of the District Court
affirmed

May 19th 1863. Appeal prayed to the
Supreme Court of the United States
Returnable 1st Monday in December 1863.

In testimony that the foregoing is a true Copy of the proceedings in the Circuit Court of the United States for the fourth Circuit in and for the Maryland District.

I hereunto subscribe my name & affix the seal of the said Circuit Court this seventeenth day of February in the year of our Lord one thousand eight hundred and sixty four

Seal

Thos Spicer. Clk
C. C.

And having stated that the appellants had altogether failed to file the record of said cause in this

Court, or in any way to prosecute said appeal, now here moved the Court in pursuance of the 6th rule of this Court to have this appeal docketed & dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this appeal from the Circuit Court of the United States for the District of Maryland be and the same is hereby docketed & dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law & justice the said appeal notwithstanding.

per Mr Justice Wayne

Declorma Brooks
vs appt
158 Warrick Martin

The argument of this cause was continued by Mr Carpenter of Counsel for the appellee

Proclamation being made the Court is adjourned until Monday morning at Eleven o'Clock.

Monday March 7th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
John Catron
Sam[l] Nelson
Nathan Clifford — Associate
Noah H. Swayne — Justices
Sam[l] F. Miller
David Davis &
Stephen J. Field

Edward A. Lawson Esq. — Marshal
James Wesley Middleton — Clerk

(Proclamation being made the Court is opened.)

The United States
vs
Bernardo Torbo

Appeal from the District Court of the United States for the Southern District of California.

140

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & was argued by Counsel. On consideration Whereof it is now here ordered, adjudged & decreed by this

Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Jus: Field

Dissenting
Mr Jus: Clifford

The United States
vs Appls
145 Juan Moreno

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Jus: Swayne.

Estate of Marye Pomeroy, Lewis Wilson
Elias Butler & William Baldwin
vs Appts
133 Appts in Er.
The State Bank of Indiana

In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration Whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Clifford

The United States
vs Appts
149
Augustin Olvera, Luis Jordan
Vicente Bolduc & J. Lancaster Brent

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & was argued by counsel.

On consideration Whereof it is now here ordered

adjudged & decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Justice Nelson

366 The Schooner Young & Cargo vs The United States Apps

The Judge of Counsel for the appellants moved the Court to rescind & annul the decree entered by this Court on a prior day of the present term to wit. on Friday the 4th day of March instant docketing and dismissing this appeal. On consideration whereof, it is now here ordered, adjudged & decreed by this Court that the said decree be and the same is hereby rescinded & annulled upon the appellants having their record filed, and this cause docketed pursuant to the rules of this Court and upon paying the costs due in this cause.

367 The Claimants of a Lot of Goods & Chattels consisting of Machinery vs The United States Apps

Mr. Ridgely of Counsel for the appellants moved the Court to rescind

and annul the decree entered by this Court on a prior day of the present term to wit: On Friday the 4th day of March instant, docketing and dismissing this appeal. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the said decree be and the same is hereby rescinded and annulled upon the appellants having their record filed, and this cause docketed pursuant to the rules of this Court and upon paying the costs due in this cause.

De Lorma Brooks
vs Appl
153 Warwick Martin

The argument of this cause was concluded by Mr Mitchell of Counsel for the Appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday March 8. th 1864

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: James M. Wayne
John Catron
Sam.l Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam.l F. Miller
David Davis
Stephen J. Field
Ward H. Lamon Esq. — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by J. M. Carlisle Esq, it is ordered that Marshall S. Bidwell Esq of New York City State of New York be admitted to practice as attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by S. M. Carlisle Esq, it is ordered that Ellis Wesley Morton Esq of Boston, State of Massachusetts, be admitted to practice as attorney and counsellor of this Court & he was sworn accordingly.

The United States		Appeal from the District
vs	Appl	Court of the United States
154 Friendline Extra &c		for the Southern District
		of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr Attn. Gen'l Bates of Counsel for the appellant, it is now here considered, ordered and decreed by this Court that this cause be and the same is hereby dismissed.

for Mr Justice Wayne.

The United States		Appeal from the District
163 vs	appe	Court of the United States
Wm E. P. Hartnells		for the Southern
Widows, heirs & devisees		District of California.

Tuesday March 8th 1864. Continued.)

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr. Attorney General Bates of Counsel for the appellants, it is now hereby considered ordered & decreed by this Court that this cause be & the same is hereby dismissed.

Pr Mr Jus: Wayne

Charles Fossat
vs Appl
The United States

111

The argument of this cause was continued by Mr Black of Counsel for the appellant.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Wednesday March 9th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	James M. Wayne	
	John Catron	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
Ward H. Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

Charles Fossat vs appl 111 The United States	The argument of this cause was concluded by Mr Black of Counsel for the appellant
Charles H. Wheeler vs appl 139 Russel Sage	The argument of this cause was commenced by Mr Carpenter of Counsel for the appellant.

Wednesday March 9th 1864 continued

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oclock.

Thursday March 10th 1864. Continued

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	James M. Wayne	
	John Catron	
	Sam[l] Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
Ward H. Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On Motion first made to the Court in this behalf by Hon: Reverdy Johnson, it is ordered that D. E. Birdsall Esq. of New York City State of New York be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly

Thursday March 10th 1864. Continued

139 Charles H. Wheeler vs Russel Sage, Appt

The argument of this cause was continued by Mr Emmons of Counsel for the appellee, and concluded by Mr Carpenter of Counsel for the appellant.

159 Frederick Schuchardt et al vs Philip Allen, Pltffs in Er

The argument of this cause was continued by Mr Stoughton of Counsel for the Plaintiffs in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oclock.

Friday March 11th 1864

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: James M. Wayne
John Catron
Sam'l Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam'l F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by J. M. Carlisle Esq, it is ordered that Hon: E. Dumont of Indianapolis State of Indiana be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Marshall S. Bidwell Esq, it is ordered that John B. Gale Esq of Troy, State of New York be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by R. H. Gillet Esq, it is ordered that W. S. Marshall Esq of Philadelphia State of Pennsylvania be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly.

323 Gilbert Woodruff vs Pltff in Er / Josiah M. Mann — Ordered by the Court that the motion of Mr Washburn to dismiss this cause be set for argument on next Friday the 18th inst.

328 John Reynolds et al vs Pltffs in Er / Robert Forsyth — On motion of Mr Browning (for Mr Carlisle) it is ordered by the Court that the Clerk may issue the procedendo in this cause during the present term.

171 The United States vs Sebastian Arumez — Mr Williams in behalf of Thomas H. Leggett & others Intervenors in this cause, moved the Court to vacate the Stipulation dismissing this appeal, & that the cause may stand to be argued in its order or otherwise as the Court may direct, and that the Counsel for said Leggett & others be allowed to enter his appearance & be heard in the argument of this case. On consideration whereof, it is now here ordered by the Court that this motion be & the same is hereby set for argument on Friday next the 18th instant, & that due notice of this motion be given to the Attorney General.

207 The United States vs José Jasaguin Estudeceo Appls — Mr Williams in behalf of Thomas W. Mulford and others, Intervenors in this cause, moved the Court to vacate the Stipulation dismissing this appeal, & that the cause may stand to be argued in its order or otherwise as the Court may direct, & that the Counsel for said Mulford & others be allowed to enter his

appearance, & be heard on the argument of this cause, On Consideration whereof, it is now here ordered by the Court that this motion be & the same is hereby set for argument on Friday next the 18th instant, & that due notice of this motion be given to the Attorney General.

The Heirs of Jose Higuera
vs Appts
The United States

Mr Williams moved the Court for leave to enter his

236

appearance in this case for certain parties to the record, & that he be allowed to be heard, in their behalf on the argument of the case. On Consideration Whereof, it is now here ordered by the Court that this motion be set for argument on next Friday the 18th instant, and that due notice be given to the Attorney General.

The United States
vs Appts
Frederick Billings & al

Mr Williams moved the Court for leave to enter his appearance

244

in this case for certain parties to the record, and that he be allowed to be heard in their behalf on the argument of the case. On Consideration Whereof, it is now here ordered by the Court that this motion be set for argument on next Friday the 18th instant, and that due notice be given to the Attorney General.

The United States
251 vs Appt
Thomas Pacheco &c

Mr Williams moved the Court for leave to enter his appearance in this case for certain parties to the record, & that he be allowed to be heard, in their behalf, on the argument of the case. On Consideration whereof, it is now here ordered by the Court that this motion be set for argument on next Friday the 18th instant, & that due notice be given to the Attorney General.

The United States
252 vs
Thomas O. Larkin

Mr Williams moved the Court for leave to enter his appearance in this case for certain parties to the record, and that he be allowed to be heard in their behalf, on the argument

of the case. On Consideration whereof, it is now here ordered by the Court that this Motion be set for argument on next Friday the 18th instant, & that due notice be given to the Attorney General

280 The United States vs Appt Barbara Sola &c

Mr Williams moved the Court for leave to enter his appearance in this case for certain parties to the record & that he be allowed to be heard. On Consideration whereof, it is now here ordered by the Court that this motion be set for argument on next Friday the 18th inst. & that due notice be given to the Atto. General.

159 Frederick Schuchardt et al vs Peffer Ex Philip Allen et al

The argument of this cause was continued by Mr C. S. Bradley & Mr Bidwell of Counsel for the defendants in Error & concluded by Mr Owen of Counsel for the Plaintiffs in Error

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday March 14th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
John Catron
Sam[l] Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam[l] F. Miller
David Davis
Stephen J. Field

David A. Lamon Esq — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by William D. Booth Esq, it is ordered that Gilbert O. Hulse Esq. of New York City. State of New York be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly.

The United States vs Appls 164 José de Jesus Vallejo	Motion of Mr Gillet to dismiss this cause was filed & argued by him in support thereof & in opposition thereto by Mr Wells of Counsel for the United States. On consideration whereof this Court not being now sufficiently advised of & concerning what order to make in the premises took time to consider.
The United States vs Appls 164 José de Jesus Vallejo	This cause was argued by Mr Wells of Counsel for the United States.
Jones Wallingford & Co vs Appls 165 Livingston Copeland & Co.	The argument of this cause was commenced by Mr Gifford of Counsel for the Appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday March 15th 1864

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: James M. Wayne
John Catron
Sam'l Nelson
Robt C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam'l F. Miller
David Davis
Stephen J. Field
Ward H. Lamon Esquire — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by R. H. Gillet Esq, it is ordered that Lorenzo Ailes Esq of St Pauls State of Minnesota be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly.

The United States vs Appt
228 Manuel Larios

On the motion of Mr Hartman it is now here ordered by the Court that his appearance for the appellee in this case be and the same is hereby stricken out.

The United States vs Appts
371 Daniel Murphy, James Murphy & Martin J. C. Murphy, Claimants & Elizabeth Martin, John Moore & William Goutz. Intervenors

On appeal from the District Court of the United States for the Northern District of California

Mr Gillet on behalf of Mr Marshal of Counsel for the appellees having filed & read in open Court the following certificate to wit:

District Court of the
United States
Northern District of California.

Tuesday March 15th 1864 Continued

The United States

vs

Daniel Murphy, James Murphy, &
Martin J. C. Murphy, Claimants, &
Elizabeth Martin, John Moore &
William Yontez. Intervenors

In the matter of the Survey, & location
of the Rancho "San Francisco de los Olagas"

Dist: Court No 147. Land Com: No 25

I. William H. Chevers Clerk of the District Court of the United States for the Northern District of California, do hereby certify that a final decree was entered in the said District Court in the above entitled cause on the twenty eighth day of January A.D. One thousand eight hundred & Sixty three approving the Survey of said Rancho "San Francisco" de Los Olagas", & that an appeal was duly allowed in behalf of the United States to the Supreme Court of the United States from said final decree on the twenty seventh day of July, A.D. One thousand eight hundred & Sixty three, by order of the said District Court of said last mentioned date

Seal

In testimony whereof I have hereunto set my hand, & affixed the seal of the said District Court this ninth day of February A.D. 1864.

W. H. Chever
Clerk

And having stated that the appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, and have moved the Court in pursuance of the Ninth rule of this Court to have this appeal docketed and dismissed. On Consideration whereof, it is now here ordered & adjudged by this Court that this appeal from the District Court of the United States for the Northern District of California be and the same is hereby docketed & dismissed with costs & that this cause be & the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law & justice the said appeal notwithstanding

per Mr Justice Wayne

The United States
vs Appls
370 Juana Briones de Miranda
Widow and Narcisa Miranda
Presentacion Miranda, Tomas
Miranda, Refugio Miranda,
Jose de Jesus Miranda, Maria
Miranda, Manuela Miranda
José Dolores Miranda, children
of Apolinario Miranda, deceased.

On appeal
from the
District Court
of the
United
States for
the North-
ern dis-
trict of
California.

Mr Gillet on behalf of Mr Marshall
of Counsel for the appellees filed and read in open
Court the following certificate to wit:

United States District Court
Northern District of California

The United States
vs Appellees
Juana Briones de Miranda Widow & Narcisa Miranda
Presentacion Miranda, Thomas Miranda Refugio Miranda
Jose de Jesus Miranda, Maria Miranda Manuela Miran-
da & José Dolores Miranda, children of Apolinario
Miranda, deceased. Claimants & Appellants.

Transcript No 310

Dist Court No 401

Claim for Ojo de Agua de Figueroa.

I. W. H. Chevers Clerk of the District Court of the United States for the Northern District of California, do hereby certify that on the twenty sixth day of November A.D. One thousand eight hundred & fifty eight, a decree was entered in said Court, in said cause confirming the land claimed herein to said claimants & appellants & that on the thirteenth day of November A.D. One thousand eight hundred & fifty eight an appeal was duly sued out, and allowed in behalf of the United States.

In testimony Whereof I have hereunto set my hand, & affixed the seal of the said Court this twelfth day of February A.D. 1864

W. H. Chevers Clerk

Seal

And having stated that the appellants had altogether failed to file the record of said cause in this Court, Or in any way to prosecute said appeal, now here moved the Court in pursuance of the

With rule of this Court to have this appeal docketed & dismissed. On consideration whereof it is now here ordered & adjudged by this Court that this appeal from the District Court of the United States for the Northern District of California be and the same is hereby docketed & dismissed with costs, and that this cause be & the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law & justice the said appeal notwithstanding

for Mr Justice Wayne

Jones Walling ford & Co. vs Appts
Livingston, Copeland & Co.

165

The argument of this cause was continued by Mr Bakewell & Mr Browning of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
John Catron
Sam'l Nelson
Robt C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam'l F. Miller
David Davis
Stephen J. Field
Ward H. Lamon Esq Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by J. M. Carlisle Esq it is ordered that Nelson Caleb Esq of Lawrence State of Kansas be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by I. N. Farnsworth Esq, it is ordered that Horace M. Chapman Esq of Rockford, State of Illinois be admitted to practice as attorney & counsellor of this Court and he was sworn accordingly.

Jones Walling ford & Co. vs Appt
165 Livingston, Copeland & Co

The argument of this cause was concluded by Mr Gifford of Counsel for the appellants.

The United States vs Appt
168 I. L. Folsom's Executors

The argument of this cause was commenced by Mr Wells of Counsel for the United States.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Thursday March 17th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
John Catron
Sam[l] Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam[l] F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by F. C. D. McKay Esq. it is ordered that George M Wyoody Esq of Nunda State of New York be admitted to practice as attorney & Counsellor of this Court & he was sworn accordingly.

Thursday March 17th 1864. Continued

168 The United States vs Appls J. L. Folsom's Exec^rs

The argument of this cause was continued by Mr Wells of Counsel for the United States and by Mr Carlton of Counsel for the appellees

Proclamation being made the Court is adjourned until tomorrow morning at Eleven Oclock.

Friday March 18th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
John Catron
Sam'l Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam'l F. Miller
David Davis
Stephen J. Field

Hoad H Lamon Esq Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

221 The United States vs Gregorio Lapia — The motion of Mr Hartman (filed this day) of Counsel for the appellees to dismiss this cause set for argument on Friday next the 25th instant

257 The United States vs Appl- Ignacio Pastor

The motion of Mr Hartman of Counsel for the appellees filed this day to dismiss this cause set for argument on Friday next the 25th instant.

259 The United States vs Appls The Mayor & Common Council of Santa Barbara

The motion of Mr Hartman of Counsel for the appellees filed this day, to dismiss this cause, set for argument on Friday next the 25th instant.

282 The United States vs Appls Vicente Gomez et al

The motion of Mr Hartman of Counsel for the appellees filed this day to dismiss this cause, set for argument on Friday next the 25th instant.

284 The United States vs Appls Pedro Sainsevain

The motion of Mr Hartman of Counsel for the appellees filed this day to dismiss this cause, set for argument on Friday next the 25th instant.

285 The United States vs. appl
Juliana Lopez Osuna & al

The motion of Mr Hartman of Counsel for the appellees filed this day, to dismiss this cause, set for argument on Friday next the 25th instant.

286 The United States vs appl
J Mn Wilson

The motion of Mr Hartman of Counsel for the appellees filed this day, to dismiss this cause set for argument on Friday next the 25th instant.

287 The united States vs appl
José Joaquin Ortega & al

The motion of Mr Hartman of Counsel for the appellees filed this day, to dismiss this cause set for argument on Friday next the 25th instant.

288	The United States vs Appts Vicente de la Osa et al	The motion of Mr Hartman of Counsel for the appellees, filed this day to dismiss this cause set for argument on Friday next the 25th instant.

289	The United States vs Appt Arrejo et al	The motion of Mr Catlin of Counsel for the appellees filed this day & docket & dismiss this cause, set for argument on Friday next the 25th instant.

323	Gelbert Woodruff vs Pltff in Er Josiah M. Mann	The argument of the motion to dismiss this cause was commenced by Mr Washburne in support of the same, continued by Mr Allison in opposition thereto, & concluded by Mr Washburne in favor thereof. On consideration whereof it is now here ordered by the Court that the said motion be and the same is overruled

Friday March 18th 1864. Continued.

217 The United States vs Appls Manuel A. R. de Polis Widow & Heirs

On motion of Mr Wells of Counsel for the United States it is now here ordered by the Court that the motion to dismiss this cause be and the same is hereby set down for argument on Friday next the 25th instant.

168 The United States vs Appls I. L. Folsom's Exrs

The argument of this cause was continued by Mr. Catlin of Counsel for the Appellees.

Proclamation being made the Court is adjourned until Monday Morning at Eleven Oclock.

Monday March 21st 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
John Catron
Sam'l Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam'l F. Miller
David Davis
Stephen J. Field
Ward H. Lamon Esq. — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

Mr Justice Wayne announced the following orders.

Ordered that the resignation by the Honorable Jeremiah S. Black of the Office of Reporter of this Court, be & the same is hereby accepted and that Mr Justice Wayne, Senior Associate Justice, notify him thereof, and express

to him the kind & respectful feelings of this Court towards him, & of them best wishes for his health & happiness. Ordered further that the foregoing order be entered on the minutes of the Court.

Ordered, this twenty first day of March Eighteen hundred & Sixty four, that John William Wallace be and he is hereby appointed Reporter of this Court, & the Clerk is directed to file this order & notify to him his appointment to the Office above mentioned.

DeLorma Brooks
is Appt
158 Warrick Martin

Appeal from the District Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin, & was argued by Counsel On consideration whereof it is now

now ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause, be and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Wisconsin and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Wisconsin.

per Mr Jus: Miller.

Dissenting
Mr Jus: Catron

283 The United States vs Rufus Cashs et al

The motion of Mr Gillet of Counsel for the appellants filed this day to dismiss the appeal in this cause, set for argument on Friday next the 25th instant.

168 The United States
vs Appls
I. L. Folsoms Exr

The argument of this cause was continued by Mr Black of Counsel for the appellees & by Mr Bella Tower of Counsel for the United States.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oclock.

Tuesday March 22d 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	James M. Swayne	
	John Catron	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On Motion first made to the Court in this behalf by C. M. Keller Esq. it is ordered that Samuel Dexter Cozzens Esq of New York City State of New York be admitted to practice as Attorney & Counsellor of this Court & he was sworn accordingly.

168 The United States
vs Appts
I. L. Folsoms Esqrs

The argument of this cause was concluded by Mr Della Torre of Counsel for the United States.

169 Santiago Brignardello et al
vs Plffs in Er
Matilda C. Gray et al
and
Matilda C. Gray Plffin Error
223 vs
Santiago Brignardello et al

The argument of these cross appeals was commenced by Mr Galpin of Counsel for the plaintiffs.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday March 23d 1864

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	James M. Wayne	
	John Catron	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

Wm William Wallace Esquire having been appointed the Reporter of the decisions of the Supreme Court of the United States under the act of Congress of 26th of August 1842. took in Court the following oath of Office: "I do solemnly swear that I will faithfully & impartially discharge & perform all the duties of my said office according to the

best of my abilities & understanding, and that I will support the Constitution of the United States: So help me God" & thereupon entered upon the discharge of his duties

Santiago Brignardello et al
vs Pltffs in Error
169 Matilda C. Gray & al
and
Matilda C. Gray Pltff in Error
vs
223 Santiago Brignardello et al

The argument of these causes was continued by Mr Carlisle of Counsel for the defendants and concluded by Mr Galpin of Counsel for the plaintiffs.

L. L. Rawson et al
vs Pltff in Er
170 The United States

This cause was submitted to the consideration of the Court on the record & printed argument of Mr Attorney General Bates & Mr Coffey of Counsel for the United States.

172 Samuel A. Turril et al vs Plffs
The Michigan Southern & Northern Indiana R.R. Co.

The argument of this cause was commenced by Mr Curtis of Counsel for the plaintiffs in error and continued by Mr Keller of Counsel for the defendants in Error

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oclock

Thursday March 24th 1864

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: James M. Wayne
John Catron
Samd. Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samd. F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq. — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Hon B. R. Curtis it is ordered that Hon: Dwight Foster of Boston State of Massachusetts be admitted to practice as Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon: J. Keenan it is ordered that Jarvis N. Lake of the City of New York State of New York be admitted to practice as attorney & Counsellor of this Court & he was sworn accordingly.

The United States
138 vs Appts
Maria Jesus Rivera
de Cota & al

Appeal from the District Court for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & the stipulation of Counsel of the respective parties herein. On Consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be & the same is hereby affirmed to the extent of three and one half square leagues of land & no more, within the exterior limits of the boundaries described in both grants

in the case, on payment of costs by appellees in this Court.

Pr Mr Jus: Wayne.

146 The United States
vs Appt
Joaquin Carrillo &
Jose Maria Covarrubias

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States, for the Southern District of California & the stipulation of Counsel of the respective parties herein. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby affirmed to the extent of six square leagues of land & no more, within the exterior limits of the grant in the case, on payment of the costs by the appellees in this Court.

Pr Mr Jus: Wayne

217 The United States
is Appls
Encarnacion Sanchez
De Pole. Widow & heir of
Manuel A. R. De Pole
deceased

Appeal from
the District
Court of the
United States
for the South-
ern District of
California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, & on the motion of Mr Gillet of counsel for the appellees with the consent of the Atto: General Bates. It is now here ordered adjudged and decreed by this Court that this cause be & the same is hereby dismissed

per Mr Jus: Wayne

257 The United States
is Appls
Ignacio Pastor

Appeal from the
District Court of the
United States for the
Southern District of
California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr Hartman of Counsel for the appellee with the Consent of Mr Attorney General Bates. It is now here ordered, adjudged & decreed by this Court that this cause be and the same is hereby dismissed.

per Mr Jus: Wayne

The United States
vs Appl
259 The Mayor & Common
Council of Santa Barbara

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, & on the motion of Mr Hartman of Counsel for the appellee with the consent of Mr Atto: General Bates It is now here ordered, ad judged and

decreed by this Court that this cause be and the same is hereby dismissed

per Mr Jus: Wayne

The United States
vs Appl
282 Vicente Gomez et al

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, & on the motion of Mr Hartman of counsel for the appellees with the consent of Mr Atto: General Bates. It is now here ordered, adjudged & decreed by this Court that this cause be & the same is hereby dismissed

per Mr Jus: Wayne

The United States
vs Appl
221 Gregorio Tapia

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr Attorney General Bates of Counsel for the appellants. It is now here ordered, adjudged & decreed by this Court that this cause be and the same is hereby dismissed.

per Mr Justice Wayne

The United States
vs Appls
384 Pedro Sansevaini

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr Attorney Genl Bates of Counsel for the appellant. It is now here ordered, adjudged & decreed by this Court that this cause be & the same is hereby dismissed

per Mr Justice Wayne.

The United States
vs Appls
286 Julian & Lopez Osuna & ac

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr Atto: General Bates of Counsel for the appellants. It is now here ordered adjudged & decreed by this Court that this cause be and the same is hereby dismissed.

per Mr Jus: Wayne

The United States
vs Appls
286 John Wilson

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California. And on the motion of Mr

Atto: General Bates of Counsel for the appellants. It is now here ordered, adjudged & decreed by this Court that this cause be & the same is hereby dismissed.

pr Mr Jus: Wayne

287 The United States vs Jose Joaquin Ortega — Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & on the motion of Mr Atto: General Bates of Counsel for the appellant. It is now here ordered, adjudged & decreed by this Court that this cause be & the same is hereby dismissed.

pr Mr Jus: Wayne.

Thursday March 24th 1864. Continued

The United States
vs appts
088 Vicente De La Osa et al

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & on the motion of Mr Atts: General Bates of Counsel for the appellant it is now here ordered, adjudged & decreed by this Court that this cause be and the same is hereby dismissed

per Mr Jus: Wayne

Samuel A. Turrill et al
vs Plffs in Er
172 The Michigan Southern and Northern Indiana R. R. Cos:

The argument of this cause was continued by Mr Heller of Counsel for the Defendant in Error and concluded by Mr Curtis of Counsel for the Plffs in Error.

Thursday March 24th 1864. Continued.

173 John S. Parker adm'r &c
is Appt
Phetteplace & Seagrave &c

It is now here ordered by the Court that this cause be

postponed for the present in consequence of the sickness of Mr Jencks of counsel for the appellants.

174 Ellen E. White. adm'x &c
is appt
The United States

The argument of this cause was commenced by Mr Gillet of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next 28th instant.

Monday March 28th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
Saml. Nelson
Robt C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Saml. F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by W. P. Lynde Esq. It is ordered that Charles E. Egan Esq of New York City. State of New York be admitted to practice as attorney & Counsellor of this Court & he was sworn accordingly.

Charles H. Wheeler
vs Appls
139 Russel Sage

Appeal from the District Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin & was argued by Counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Davis.

Frederick Schuchardt &
Frederick C. Gebhard
vs Plffs in Er
159 Philip Allen. Philip Allen Jr &
Charles B. Allen

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Mr Justice Swayne.

Henry A. Burr Compl'tt & Appt
vs
Peter S. Duryee. Henry A. Jagues & Henry W. Duryee
141

Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey & was argued by counsel. On consideration whereof it is now here ordered,

adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

per Mr Jus: Grier

Henry A. Burr
& Copt & Appt
231 Peter A. Dunyee.
Henry A. Jacques &
Henry W. Dunyee

Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey. On consideration whereof it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Jus: Grier.

232

Henry A. Burr
vs Comp't & appl
Peter V. Dunyee. Henry A.
Jacques & Henry W. Dunyee

Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by Counsel. On Consideration Whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Grier

Monday March 28th 1864. Continued

The United States

171 vs

Sebastian Nunez

207 The United States

vs

José Joaquin Estudillo

The Heirs of José Higuera

236 vs

The United States

It is now here ordered by the Court that the argument of the Motion made in these causes be and the same is hereby continued to Friday next the 1st of April.

The United States

244 vs

Frederick Billings et al

The United States

251 vs

Thomas Pacheco et al

The United States

252 vs

Thomas O. Larkin

280 U. States vs Soto et al

The United States
228 vs Appt
Manuel Larios

The motion to dismiss this cause was argued by Mr Gillet in support of the same & by Mr Wells in opposition thereto. Whereupon the Court not being now here sufficiently advised What order to make in the premises took time to consider

The United States
228 vs Appt
Manuel Larios

On consideration of the motion to dismiss this cause it is now here ordered by the Court that said motion be and the same is hereby overruled.

The United States
205 vs Appls
Daniel G. Cooke Claimt &c.

On motion of Mr Attorney General Bates, with the consent of Mr Reverdy Johnson of Counsel for the appellee, it is now here ordered by the Court that this cause be argued with No 188 when that case is reached in the regular call of the docket.

283 The United States vs Appts Rufina Castro et al

The motion to dismiss this cause was argued by Mr Gillet in favor of the motion and by Mr Coffey, assistant Atty Genl in opposition thereto. Whereupon this Court not being now here sufficiently advised, What order to render in the premises took time to consider.

174 Ellen E. White, adm'x &c vs Appt The United States

The argument of this cause was continued by Mr Gillet of Counsel for the appellant and by Mr Wells of Counsel for the United States.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Tuesday March 29th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
Sam[l] Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne — Associate
Sam[l] F. Miller — Justices
David Davis
Stephen J. Field

Ward H. Lamon Esq. — Marshal
Daniel Worsley Middleton — Clerk

Proclamation being made the Court is opened

174 Allen E. White. Adm[x] &c
vs
The United States — Appl

The argument of this cause was continued by Mr Wills & Mr Black of Counsel for the United States & by Mr Cushing of Counsel for the Appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday March 30th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present—

The Hon James M. Wayne
Saml Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Saml F. Miller
David Davis
Stephen J. Field

Ward H Lamon Esq Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

Ellen E. White Adx &c
vs
The United States

174

The argument of this cause was concluded by Mr Cushing of Counsel of the appellant.

John S. Parker &c
vs Appls
Phelps Lee & Seagrave &c

173

The argument of this cause was commenced by Mr Parks of Counsel for the appellants & continued by Mr Potter of Counsel for the appellees.

Proclamation being made the Court is adjourned
until tomorrow morning at eleven o'clock.

Thursday March 31st 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
Saml Nelson
Nathan Clifford — Associate
Noah H. Swayne — Justices
Saml F. Miller
David Davis
Ward H. Lamon Esq — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in their behalf by Mr J. M. Carlisle it is ordered that Niles Searls Esq of Nevada City, State of California, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly

173 John S. Parker et al vs Appts Phelps Seagrave & al

The argument of this cause was continued by Mr Potter of Counsel for the appellees & concluded by Mr Devens of Counsel for the appellants.

175 Manuel Rodriguez vs Appt The United States.

The argument of this cause was commenced by Mr Gillet of Counsel for the appellant and continued by Mr Wells of Counsel for the United States.

Proclamation being made the Court is adjourned until to morrow morning at Eleven o'clock.

Friday April 1st 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	James M. Wayne	
	John Catron	
	Saml. Nelson	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	David Davis	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

171 The United States vs Appls Sebastian Nunez

207 The United States vs Appls José Joaquin Estudillo

The argument of the motions to vacate the Stipulation dismissing these appeals was commenced by Mr Williams in support thereof, continued by Mr R Wilson, Mr Black & Mr Atto: Gen: Bates in opposition thereto.

Proclamation being made the Court is adjourned until Monday Morning at Eleven O'Clock.

Monday April 4th 1864

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: James M. Wayne
John Catron
Saml. Nelson
Nathan Clifford — Associate
Noah H. Swayne — Justices
Saml F. Miller
David Davis
Stephen J. Field

Ward H. Lamon Esq — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by R. H. Gillet it is ordered that D. H. Wallace Esq. of New York City State of New York be admitted to practice as attorney & counsellor in this Court & he was sworn accordingly.

A. Mervey Jones. Alexander M. Wallingford.
William R Minnick & Alexander Minnick
Partners. doing business under the name of
Jones Wallingford & Company

165 vs Appts

James K. Morehead. Lawreston B
Livingston. William B Copeland, Calvin
Adams & David McKee. Partners doing
business under the name & Style of
Livingston. Copeland & Company.

Appeal from the Circuit Court of the
United States for the Western District of
Pennsylvania.

This cause came on to be
heard on the transcript of the record from the Circuit
Court of the United States for the Western District of
Pennsylvania & was argued by Counsel. On consider-
ation whereof it is now here ordered, adjudged & decreed
by this Court that the decree of the said Circuit Court
in this cause be & the same is hereby reversed with costs.

And it is further ordered by the Court that this
cause be & the same is hereby remanded to the
said Circuit Court with directions to modify
the injunction so as to restrain the defendants
from using any part of the Sherwood patent

except that embraced in the first claim of invention, mentioned in the schedule attached to said patent: & that a decree be rendered for the nominal sum of one dollar for the profits

for Mr Jus: Miller.

Charles Forbes
vs Appl
The United States

111

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California & was argued by Counsel - On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby reversed - And that this cause be & the same is hereby remanded to the said District Court with direction to enter a decree confirming the Survey approved by the Surveyor General the 20th December 1860.

for Mr Jus: Nelson

Dissenting Mr Jus: Clifford.

	The United States	Appeal from the District
125	vs Appts	Court of the United States
	Santiago Arguello	for the Southern District
		of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & was argued by counsel & it appearing to the Court that this appeal was prayed in open Court at a term subsequent to the term at which the decree in the case had been rendered, and that no citation has been issued or served in the case, it is now here ordered, adjudged & decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

per Mr Justice Wayne.

	The United States	Appeal from the
127	vs Appts	District Court of the
	John Wilson et al	United States for the
	heirs of James Scott	Southern District
	deceased	of California.

This cause came on to be heard on

the transcript of the record from the District Court of the United States for the Southern District of California, & was argued by Counsel. And it appearing to the Court that this appeal was prayed in open Court at a term subsequent to the term at which the decree in the case had been rendered, & that no citation has been issued or served in the case. it is now here ordered, adjudged & decreed by this Court that this cause be & the same is hereby dismissed for the want of jurisdiction.

for Mr Justice Wayne

David Gordon ch ac adm[x] &c Appeal from
vs appts the Court
293 The United States of Claims

Ordered that the argument of this cause upon the constitutional jurisdiction of the Supreme Court to hear & decide upon appeals from the Court of Claims shall be heard on the second Monday of next Term of this Court the twelfth day of December 1864.

The Clerk of the Court is directed to give

to the appellants and to Charles Gibson Esquire Solicitor for the United States in the Court of Claims. Notice of this order that they may respectively be heard by this Court upon the question stated, if they shall desire to avail themselves of their right to do so.

And it is further ordered that the Court will permit other Counsel to be heard who may be interested in the question. This Court from the importance of the point to be argued will also open the discussion to other persons & their Counsel interested in other appeals which may be made to this Court from the Court of Claims before the day stated for the argument - it being understood that any party desirous of being heard shall file a printed brief with the Clerk of this Court, three days before the time stated.

Besides the notice already directed to be given by the Clerk it is ordered that this order shall be published for one week in two of the daily Newspapers of this District.

By Mr Justice Wayne.

Mr Justice Wayne gave notice to the Bar that the Court would not hear arguments in any case after Tuesday the 12th instant and that the Court will adjourn on Monday the 18th instant, instead of the 1st of May as heretofore announced.

Manuel Rodrigues
175 vs Appl
The U. States

The argument of this cause was concluded by Mr Gillet of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven Oclock

Tuesday April 5th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present-

The Hon: James M. Wayne
John Catron
Sam[l] Nelson
Nathan Clifford
Noah H. Swayne
Sam[l] F. Miller
David Davis
} Associate Justices

Ward H. Lamon Esquire — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened

The City Fire Insurance Co. of Hartford. Piff in Er
vs
William Longhurst

203

In error to the District of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Iowa, and on the motion of Mr Carlisle of Counsel for the plaintiff in Error, stating that the matters in

controversy had been agreed & settled between the parties. It is thereupon now here ordered & adjudged by this Court that this cause be and the same is hereby dismissed with costs And that this cause be & the same is hereby remanded to the Circuit Court of the United States for the District of Iowa.

per Mr Chief Justice Taney

The United States
171 vs Appls
Sebastian Nunez
&
The United States
vs Appls
207 José Joaquin Estudillo

The argument of the motions to vacate the stipulations dismissing these appeals was concluded by Mr Carlisle in support thereof.

Ann B. Dermott Exx &c
176 vs Peffin Ex
Charles S. Wallach

The argument of this cause was commenced by Mr Brent of Counsel for the plaintiff in error. Continued by Mr Walter S. Cox & Mr Carlisle of Counsel for the defendant in error and concluded by Mr Brent for the plaintiff in error.

Proclamation being made the Court is adjourned until to morrow morning at Eleven o'clock.

Wednesday April 6th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: John Catron
Saml Nelson
Nathan Clifford
Noah H. Swayne
Saml F. Miller
David Davis
Associate Justices

Ward H. Lamon Esquire
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. M. Carlisle, it is ordered that William A. Meloy Esquire, of Nicolville, State of New York be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

177 Ann R. Dermott Exr &c. vs Peffin Er
Zephaniah Jones

The argument of this cause was commenced by Mr Poe of Counsel for Peffin Er.

177 Ann R. Dermott Exx &c vs Pltff in Er Jephoniah Jones

It appearing to the Court that the record in this cause is defective It is now here ordered by the Court that this cause be and the same is hereby continued to the next term, with permission to the plaintiff in Error to supply the Omissions.

178 The United States. use &c vs Appts Edgar Conklin et al

This cause was argued by Mr Lynde of Counsel for the defendant in error & submitted on a printed argument by Mr Carpenter of Counsel for the plaintiff in Error.

179 Benjamin D. Godfrey vs Pltff in Er Charles L. Eames

The argument of this cause was commenced by Mr Causten Browne of Counsel for the plaintiff in error & Continued by Mr Brooks of of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow Morning at Eleven oclock

Thursday April 7th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	John Catron	
	Saml. Nelson	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Samel. F. Miller	
	David Davis	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Abraham Payne, it is ordered that James H. Parsons Esquire of Providence State of Rhode Island, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

Benjamin D. Godfrey
vs Pltff in Er
179 Charles T. Eames

The argument of this cause was continued by Mr Brooks of Counsel for the defendant in error & concluded by Mr Causten Browne for the plaintiff in error

Hugh B. Sweeny chac
vs Pltff in Er
181 Hamilton Easter chac

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr Davidge for the plaintiff in error, & by Mr J. H. Bradley of Counsel for the defendant in Error.

Charles Homer chac
vs plaintiffs
182 Arthur W. Austin

This cause was submitted to the consideration of the Court on the record & printed arguments of Mr Sohier of Counsel for the plaintiffs & Mr Woodbury for the defendant.

Thursday April 7th 1864 Continued

James C. Stone vs Appl The U. States

123

Ordered by the Court that this cause be & the same is hereby continued to the next Term.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday April 8th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Roger B. Taney	Chief Justice
	John Catron	
	Saml Nelson	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Saml F. Miller	
	David Davis	
	Stephen J. Field	
	Ward H. Lamon Esqure	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Atty. Genl Bates, it is ordered that B.F. Stringfellow Esqure of Atchison. State of Kansas be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly

On motion first made to the Court in this behalf by Mr S. Bartlett, it is ordered that O.E. Shannon Esquire of Bedford. State of Pennsylvania

be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr T. S Black. It is ordered that Charles A. Welsh Esquire of Boston, State of Massachusetts, be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly

Charles Horner et al vs Peffs Arthur W. Austin

182

On Motion of Mr Welsh Leave is hereby granted him to make an oral argument in this case.

L. O. Rawson. B. Amsden & James Moore. Peffs in Er vs The United States

170

In error to the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of Ohio. & the plaintiff in error having been three times solemnly called by the Marshal to come into Court & prosecute this writ of error, & failing to appear. it is thereupon on the motion of Mr Atto: General Bates of Counsel for the defendant in error, now here ordered and adjudged by this Court that this cause be & the same is hereby dismissed.

per Mr Justice Catron

323 Gilbert Woodruff vs Plff in Er
Josiah M. Mann

Mr Washburne asked & obtained leave to submit his motion to dismiss this cause on printed arguments on Tuesday next.

Greene C. Bronson et al
132 vs Compl & Appl
The La Crosse & Milwaukee R R Co et al

Henry Vallette &c
134 vs Appl
Greene C. Bronson et al

Charles H. Wheeler
139 vs Appl
Russell Sage

The Milwaukee & Minnesota
R. R. Co. Appls
267 vs
James T. Soulter Survivor &c
&
The Milwaukee & Minnesota
R. R. Co. Appls
268 vs
James T. Soulter. Survivor &c

On motion of Mr Brown it is now here ordered by the Court that the Clerk may issue the mandates in these cases during the present term of the Court.

Chester L. Hutchins et al
vs Pffs in Er
Charles F. King.

84

It is now here ordered by the Court that the Clerk may issue the mandate in this case during the present term of this Court.

The U. States. appls
vs
Vicente P. Gomez

365

The argument of the motion to dismiss this cause was commenced by Mr Brady in support of the same, continued by Mr Attorney General Bates and Mr Black in opposition thereto & concluded by Mr Gillet in favor of the Motion.

Proclamation being made the Court is adjourned until monday next at Eleven o'clock.

Monday April 11th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Roger B. Taney	Chief Justice
	James M. Wayne	
	John Catron	
	Sam[l] Nelson	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
Ward H. Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr T. J. Coffey. it is ordered that Aug[s] F. Smith & Alexander Hunsicker Esquires of New York City. State of New York & Jno. C. Wessells Jr Esquire of Washington City District of Columbia, be admitted to practice Attorneys & Counsellors of this Court & they were sworn accordingly.

On Motion first made to the Court in this behalf by Mr R. H. Gillet, it is ordered that John B. Steele Esq of Kingston John A. Manning Esq of New York. State of New York & James Smith Jr Esqure, of St Paul. State of Minnesota, be admitted to practice as Attorneys & Counsellors of this Court and they were sworn accordingly.

168 The United States vs Henry W. Halleck Archibald C. Peachy & J. Warren Van Winkle Executors of J. L. Folsom deceased. Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California & was argued by Counsel. On Consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby affirmed. per Mr Justice Field

Dissentiente.

Mr Justs: Clifford. Swayne. Miller.

The United States
vs Appl
164
José de Jesus Vallejo

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & was argued by Counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby affirmed

per Mr Jus: Miller.

Jane Blossom
vs Appl
266
The Milwaukee & Chicago R.R. Co.

On consideration of the motion filed by Mr Carey at a prior day of the present term, to wit the second of March, to dismiss this cause, and of the argument of Counsel thereupon had as well in support of as against the said motion. it is now here ordered by the Court that the said motion be & the same is hereby overruled.

per Mr Jus: Miller.

	Samuel A. Turrill & Charles Wormley vs Peffer Er. The Michigan, Southern & Northern Indiana R.R. Co.	In Error to the Circuit Court of the United States for the District of Michigan
172		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Michigan and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby Reversed & annulled to the said Circuit Court with directions to award a venire facias de novo.

Per Mr Jus: Clifford.

John S. Parker, Vincent Chapman and Samuel B Toby. formerly Co. partners under the firm of Parker, Chapman & Co. Trustees to George Stevenson, and the said George Stevenson, assignee of said firm of Parker Chapman & Co.

173 vs Compls & Appls

James S. Phelleplace & George A. Seagrave Co. partners transacting business under the firm of Phelleplace & Seagrave & C. A Updike, administrator of Walter W. Updike deceased.

Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island & was argued by counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be & the same is hereby affirmed with costs.

Dissenting Mr Justice Nelson

Mr Justice Miller

John H. Lowrace
368 vs Appl
The United States

Mr Dobbin of Counsel for the appellant moved the Court to rescind and annul the decree entered by this Court on a prior day of the present term to wit on Friday the 4th day of March ultimo docketing and dismissing this appeal— On consideration whereof, it is now here ordered adjudged & decreed by this Court that the said decree be and the same is hereby rescinded & annulled upon the appellants having their record filed, and this cause docketed pursuant to the rules of this Court and upon paying the costs due in this cause.

Charles Homer et al
182 vs Plffs
Arthur W. Austin

This cause was argued by Mr Welch of Counsel for the plaintiffs and by Mr Attorney General Bates in behalf of the United States.

Joseph Pasigi et al
184 vs Petitioner
James S. Whitney
Collector &c

This cause was argued by Mr Barlow & Counsel for the plaintiffs in Error and by Mr Atty. General Rives for the defendant in error.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock

Monday April 18th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present-

The Hon:	Roger B. Taney	Chief Justice
	James M. Wayne	
	John Catron	
	Sam'l Nelson	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	David Davis	
	Stephen J. Field	
	Ward H. Lamon Esquire	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Thomas Ewing, it is ordered that Charles H. Phelps Esq of Burlington, State of Iowa be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly

On motion first made to the Court in this behalf by Mr R. H. Gillet. it is ordered that Lebbeus Chapman Esq. of New York City be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr H. M. Topher. it is ordered that Charles Henshaw Esquire of Batavia State of New York be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr O. M. Carlisle, it is ordered that John Raymond Esq. of New York City State of New York. & Frank M Pixley Esq of San Francisco. State of California. be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly

Order of Court

Ordered - That the third paragraph of the twenty fourth rule of this Court be amended so that it will read as follows:-

In cases of reversal of any judgment or decree in this Court costs shall be allowed to the plaintiff in error or appellant, as the case may be, unless otherwise ordered by the Court. The costs of the transcript of the record from the Court below, shall be a part of such costs

Order of Court

Rule No 94. Equity

Ordered in suits in equity for the foreclosure of mortgages in the Circuit Courts of the United States, or in any Courts of the Territories having jurisdiction of the same, a decree may be rendered for any balance that may be found due to the complainant over & above the proceeds of the sale or sales, & execution may issue for the collection of the same, as is provided in the 8th rule of this Court regulating the equity practice, where the decree is solely for the payment of money

Order of Court

There having been an Associate Justice of this Court appointed since its last session, it is ordered that the following allotment be made of the Chief Justice & Associate Justices of said Court among the Circuits, agreeably to the act of Congress in such case made & provided; & that such allotment be entered of record, viz:—

First Circuit	Nathan Clifford	Associate Justice
Second Circuit	Samuel Nelson	Associate Justice
Third Circuit	Robert C. Grier	Associate Justice
Fourth Circuit	Roger B. Taney	Chief Justice
Fifth Circuit	James M. Wayne	Associate Justice
Sixth Circuit	John Catron	Associate Justice
Seventh Circuit	Noah H. Swayne	Associate Justice
Eighth Circuit	David Davis	Associate Justice
Ninth Circuit	Samuel F. Miller	Associate Justice
Tenth Circuit	Stephen J. Field	Associate Justice

Antonio Bugnardeco. James Lee
— Browning — Flint, Shir. Shir
Edward Moran, A Gruenwald. D. Bant
John Doe. Rafael Reil. Louisa Sewell
Henry Arnock, and Richard Roe.

vs Pltffs in Error

169 Franklin C. Gray by Francis S. Spring
her next friend —

In error to the Circuit Court of the United
States for the Districts of California —

This cause came on to be heard on the
transcript of the record from the Circuit
Court of the United States for the Districts
of California and was argued by Counsel.

On consideration whereof, it is now
here ordered & adjudged by this Court that the
judgment of the said Circuit Court in this cause
be & the same is hereby affirmed with costs —
And that this cause be & the same is hereby remanded
to the Circuit Court of the United States for the
Northern District of California

Mr Justice Davis

Matilda C. Gray. Plaintiff in Error

223 vs

Santiago Bugnardello. Jaime Lee
— Browning — Fink. Jno. Sun
Edward Moran. A. Gruenwald. D.
Rand & Jno Doe. Rafael Rail. Louisa
Sewell. Henry Arnock & Richard Roe.

In error to the Circuit Court of the United
States for the District of California.

This cause came on to be heard on the transcript
of the record from the Circuit Court of the United
States for the District of California & was argued
by Counsel. On consideration whereof it is
now here ordered & adjudged by this Court
that the judgment of the said Circuit Court
in this cause be & the same is hereby reversed
with costs. And that this cause be & the same
is hereby remanded to the Circuit Court of the
United States for the Northern District of
California with directions to award a
venire facias de novo.

Per Mr Jus: Davis

The United States of America.
To the use of Fanny B. Rogers,
Administratrix, and James H. Rogers
Administrator of George T. Rogers. deceased.
Vs Plaintiffs in Error
178
Edgar Conklin, James Ewen, John N. Wilbor
Benjamin F. Moore & Robert A. Badger
Survivors of Major T. Thomas, dec'd.

In Error to the District Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said District Court in this cause be & the same is hereby affirmed with costs - And that this cause be & the same is hereby remanded to the Circuit Court of the United States for the District of Wisconsin

per Mr Justice Davis

Manuel Rodriguez
175 vs Appl
The United States

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California & was argued by Counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed

per Mr Jus: Miller

Hugh B. Sweeny. Charles E. Billinghouse Hamilton G. Fant. John L. Loufiel. Samuel Fowler. and William T. Herron.
181 vs Plaintiffs in Error
Hamilton Easter, James H. Easter, John Easter, James W. Easter and James H. Weedon

In Error to the Circuit Court of the United States

for the District of Columbia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia & was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs. And that this cause be and the same is hereby remanded to the Supreme Court of the District of Columbia.

per Mr. Justice Miller.

Allen E. White, administratrix of Charles White deceased
vs Appts
The United States

Appeal from the District Court of the United States for the Northern District of California.

174

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof it is now here ordered,

adjudged, and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed

per Mr Justice Swayne

Benjamin D. Godfrey
vs Pltff in Er
Charles F. Eames

179

In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts & was argued by Counsel On consideration whereof it is now here ordered, & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby reversed with costs. And that this cause be & the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Justice Swayne

Dissenting Mr Justice Clifford.

130 The United States is Appts / Julian Workman & Elisha O. Crosby — Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & was argued by Counsel - On Consideration Whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby reversed, & that this cause be & the same is hereby remanded to the said District Court with direction to dismiss the petition of the Claimants

Mr Justice Clifford

131 The United States is Appts / William Carey Jones — Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by Counsel. On consideration whereof it is now here, ordered, adjudged & decreed by this Court, that the decree of the said District Court in this cause be & the same is hereby reversed, and that this cause be & the same is hereby remanded to the said District Court with directions to dismiss the petition of the claimant.

per Mr Justice Clifford

Allen H. Ingle, admr d.b.n.w. of Ann R. Dermott dec'd
vs
Charles A. Wallach

In error to the Circuit Court of the United States for the District of Columbia.

176

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia, & was argued by Counsel

On consideration whereof it is now here ordered, and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the Supreme Court of the District of Columbia with directions to award a venire facias de novo.

per Mr Justice Nelson

Charles Homer & Richard J. Sprague. vs Plaintiffs
182
Arthur W. Austin

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts & on the point & questions on which the Judges of the said Circuit Court were opposed in opinion & which were

certified to this Court for its opinion agreeably to the act of Congress in such case made & provided, and was argued by Counsel. On Consideration whereof it is the opinion of this Court that Almonds are subject to duty of thirty per cent advalorem: & that the other questions certified need not be answered. And that it be so certified to the said Circuit Court to the above effect.

per Mr Justice Nelson

Joseph Lasigi & Thomas A. Goddard. Merchants & Co-partners

vs

James S. Whitney. Collector of Customs at the Port of Boston and Charleston.

In Error to the Circuit Court of the United States for the District of Massachusetts.

184

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts & was argued by Counsel.

On consideration whereof it is now here

ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Jr Mr Dus: Nelson

The United States
vs Appl
171 Sebastian Nunez

On Consideration of the motion filed by Mr Williams in behalf of intervenors, on a prior day of the present Term, to wit: Friday the 11th of March, to create Stipulation to dismiss &c. and of the arguments of Counsel thereupon had as well in support of as against the said Motion. It is now here ordered by the Court that the said Motion be & the same is hereby overruled.

Jr Mr Dus: Field.

dissenting
Mr Dus: Swayne
" " Davis

The United States
207 vs Appl
Jose Joaquin Estudillo

On consideration of the motion filed by Mr Williams on behalf of the Intervenors on a prior day of the present term. to wit: Friday the 11th of March, to vacate stipulation to dismiss &c and of the arguments of Counsel thereupon had as well in support of as against the said motion. it is now here ordered by the Court that the said motion be & the same is hereby overruled

for Mr Justice Field

Dissenting
Mr Justice Swayne.
" " Davis

The United States
365 vs Appl
Vicente P. Gomez

On consideration of the motion filed by Mr Gillet on a prior day of the present Term. to wit: Thursday the 31st of March. to dismiss this cause & of the arguments of Counsel thereupon had as well in support of as against the said motion. it is now here ordered by the Court that the said motion be and the

same is hereby overruled.

Pr Mr Jus: Clifford

The United States
is appl
365 Vicente P. Gomez

On motion of Mr Attorney General Bates it is now here ordered by the Court that leave be & the same is hereby granted him to withdraw his motion for a mandamus in this cause.

The United States
is Appls
238 Manuel Larios

It is now here ordered by the Court that the order of the 15th March last, allowing Mr Hartman leave to withdraw his appearance for the appellees in this cause be & the same is hereby rescinded & annulled, and that his name remain on record as counsel for said appellees.

Pr Mr Jus: Wayne

The United States
is appl
283 Rufina Castro & al

On consideration of the motion filed by Mr Gillet on a prior day of the present Term to wit: Monday the 21st day of March last to dismiss this cause.

and of the arguments of Counsel thereupon had as well in support of as against the said motion. it is now here ordered by the Court that the said motion be & the same is hereby overruled.

Jr Mr Justice Wayne

Andres Pico, Elias L Beard & John M. Horner
vs Appls
The United States

Appeal from the District Court of the United States for the Northern District of California.

381

Mr Coffey, Assistant Attorney General of Counsel for the appellees, having filed & read in open Court the following certificate to wit:

"United States District Court
Northern District of California

The United States
-vs-
Andres Pico, Elias L. Beard & John M. Horner

D.C. 407
L.C. 110

For the place called
"Mission of San Jose"

I. William H. Chevers, Clerk of the District Court of the United States for the Northern District of California, do hereby certify that on the second day of July A.D. 1859, a decree was entered & filed herein rejecting the title to the land claimed in this cause, & that on the first day of October A.D. 1863 an appeal to the Supreme Court of the United States was duly sued out by & allowed the said Andres Pico, Elias L. Baird & John M. Horner

In testimony whereof I have hereunto set my hand & affixed the Seal of said Court this 22d day of March A.D. 1864

Seal

W. H. Chevers - Clerk

And having stated that the appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal - Now have moved the Court in pursuance of the 6th rule of this Court to have this appeal docketed & dismissed. On consideration whereof, it is now here ordered, adjudged & decreed by this Court that this appeal from the District Court of the United States for the Northern District of California be & the same is hereby

docketed & dismissed. And that this cause be & the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law & justice the said appeal notwithstanding.

for Mr Ch: Jus: Taney

329 Dec. Term 1862

Maria Ygnacia Bale de Peabody & Benjamin S. Brooks. Intervenors & appls The United States

On motion of Mr Black it is now here ordered that the motion filed by him on the 14th December last to dismiss this cause be and the same is hereby continued to the next term.

Proclamation being made the Court is adjourned to the time and place appointed by law.

At the Capitol of the United States in the City of Washington & District of Columbia being the present seat of of the National Government of the United States on the first Monday of December (being the fifth day of the same month) in the year of our Lord One thousand eight hundred & Sixty four and of the Independence of the United States the Eighty Ninth, the Supreme Court of the United States met agreeably to Law

Present

The Hon: James M. Wayne
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Sam'l F. Miller

Ward H. Lamon Esquire — Marshal
Daniel Wesley Middleton — Clerk

There not being a sufficient number of the Justices present to constitute a quorum The Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday December 6th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam'l F. Miller

Ward H. Lamon Esquire — Marshal
Daniel Wesley Middleton — Clerk

There not being a sufficient number of the Justices present to constitute a quorum.

The Court is adjourned until to morrow morning at twelve o'clock.

Wednesday December 7th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	James M Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
Ward H. Lamon Esq		Marshal
Samuel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr T. J. Coffey, it is ordered that James Speed Esquire of Louisville, State of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Hon: Thos Ewing, Chairman of a Committee of the Bar, then presented to the Court the following proceedings which at his request were read by Mr Carlisle who moved the same in Committee:

Proceedings of Members of the Bar in Commemoration of the late Chief Justice Taney.

Upon the occasion of the death of Chief Justice Taney, in vacation the Members of the Bar of the Supreme Court of the United States, and other Officers of the Court, having assembled in the Court room, at the Capitol, at noon on Tuesday, the following proceedings took place.

The Meeting was called to order by James M. Carlisle, of Washington: and on his motion Jonathan Meredith Esq of Maryland, was called to the Chair, and D. W. Middleton, Clerk of the Court, was appointed Secretary.

On motion the Chair appointed the following members of the Bar a Committee to report and recommend such resolutions and other proceedings as may be appropriate:

Ohio Hon Tho. Ewing Mr Henry Stanbery
Maryland Hon R. J. Thurston Mr Wm Schley
Pennsylvania Hon: J. S. Black. Hon W. B. Reed

Wednesday December 7th 1865

New York. Mr Ch.J O'Conor. Hon: J.C.L Pruyn
New Jersey Hon: J.C. Ten Eyck. Mr Courtland Parker
Illinois. Hon: O.H. Browning, Mr S.T. Fuller
Wisconsin. Hon I.R. Doolittle. Hon: J.S. Brown
Missouri. Hon: J.J. Gravel. Mr J.L. Gault
California. Hon: E. Cole. Mr Jno: B. Williams
District of Columbia Mr P.R. Fendall. Mr J.M. Carlisle
Massachusetts. Hon: Caleb Cushing. Mr Sidney Bartlett
Kansas. Hon: Samuel A. Stinson

The Committee, by Mr Ewing, their Chairman, reported the following preamble & resolutions, which were by his request read by Mr Carlisle

Roger Brooke Taney of Maryland, fifth Chief Justice of the Supreme Court of the United States, having departed this life on the evening of Wednesday the 12th of October last at his residence in the City of Washington, in vacation of the Court, the members of the Bar & other officers of the Court desire, at the earliest moment & in advance of the business of the term, to place upon record their profound sense of this national

calamity and a testimonial, individually & collectively, of their affectionate veneration for his memory.

A man of spotless and benevolent life, he must alike in the humblest as in the highest sphere, have every where & always commanded the sympathy, respect & homage of all good men who knew him or felt his influence. To see him & to speak with him was enough to give assurance of this. To know him intimately was to make this assurance doubly sure.

But his was not the destiny of private life, where virtue, benevolence, & religion pursue the noiseless tenor of their way: & yet upon the broad & lofty theatre to which he was called, and where for more than a quarter of a century, he sat in judgment, between Sovereign States as between private litigants, "without fear & without reproach," there was ever apparent this deep undercurrent which marked him as the model of a good man & a Christian gentleman.

Ever unambitious of political distinction or political office, he nevertheless served

his native State as member of the House of Delegates, as Senator, and as Attorney General of Maryland, when the interests of the State & people summoned him from his chosen quiet and thoughtful path of the jurist. He first extended his sphere of professional usefulness to the national Councils when he had become the acknowledged head of the Maryland bar, which, among the names of those who had preceded him boasted of Martin, Dulaney, Pinkney, Wirt, and Harper.

It was a notable tribute to his distinction as a lawyer, and his worth as a private gentleman that he was called by President Jackson to the Office of Attorney General at a time of great party strife, when a new order of things was about to be inaugurated and when he was known to belong to the Constitutional School, of which Chief Justice Marshall was the living type, as he remains the enduring monument.

The brief period, during which Mr Taney

held the office of the Secretary of the Treasury from which he was called to preside at this Court, was marked by the same firm steady, and conscientious discharge of duty, which characterized him in every situation of life, public or private. His convictions were ever the result of patient deliberation upon the whole matter before him, truth and right being his constant end and aim.

Profoundly learned in the law, and naturally gifted with a clear, direct and logical mind he nevertheless listened for instruction from the humblest advocate who appeared before him in any cause. With all the qualities of a great judge and with the natural consciousness of his superiority to ordinary men, he was ever attentive and respectful to those whose duty brought them before him to attempt to influence his determination as a judge; and none who knew him could doubt that his conclusions were always the result of conscientious & enlightened study

and reflection.

The Bar of this Court, as a body heart=
ily unite in this tribute to the memory
of this great and good Magistrate.
His Enduring record is perpetuated
in the Official reports of this Court.
His judgments, like those of his
illustrious predecessors, will be studi=
ed by successive generations of barris=
ters and emulated by successive gener=
ations of judges as long as American
jurisprudence shall exist, therefore.

Resolved, That the Members of this
Bar & Officers of this Court, deeply im=
pressed by the great & good qualities
& acquirements & illustrious life of
the late Chief Justice, Roger Brooke
Taney, deplore the decree, inevitable
at his advanced age, which has remov=
ed him from his place of usefulness,
dignity, and honor here.

Resolved. That they will wear the
usual badge of mourning during the
term.

Resolved. That the Chairman of this

Committee move the Court, at its meeting to morrow, to direct these proceedings to be entered on the minutes, and that a copy be transmitted to the family of the deceased Chief Justice, with the respectful assurance of the sincere sympathy of the Bar.

Which resolutions were unanimously adopted.

Mr Ewing with appropriate remarks, moved the Court that these proceedings be entered of record on the minutes of the term.

To which Mr Justice Wayne, the senior associate Justice, presiding, replied as follows:

Gentlemen of the Bar: The Court receive with sensibility your resolutions commemorative of the life, the virtues, & the judicial eminence of our deceased friend & brother, and we cherish his memory with affectionate recollections & with respectful veneration.

You have discriminated accurately & with feeling the remarkable points of his life & character. Your tribute will be soothing to the hearts of his family, & it,

with other notices of his death in the circuits will be a memorial of his character, which Lawyers & Judges may emulate with advantage.

His life was honorable & useful. In early manhood it gave assurances that both would become distinguished. It disclosed the qualities & acquirements which were the foundation of his destinction. They were the anticipations of it.

In a few years after his admission to the Bar, he was recognized to be a sound Lawyer by the distinguished advocates of that day in the Courts of Maryland, whose reputations were known in every part of the United States. His general demeanor, studious habits, and pure life gave him the good will & confidence of the people of the town & County in which he lived, & without having been voluntarily a candidate, they elected him at different times their representative to places of trust & political interest, in which the whole State

was concerned. In his discharge of them he was marked to be one who could be relied upon in those public exigencies which require firm character & Statesmanlike ability to manage & control successfully.

In such public employments, & in the practice of his profession, it was admitted by his associates and the able men who watched his course with interest & with the expectation that he had made himself familiar with the history of the law, in all its relations for the organization of government for the preservation of human rights, & also with those principles which had, from the instincts of men as to right & wrong, or which had been arbitrarily made in ancient and later times to rule the rights of property and the general conduct of persons in society in connection with their obligations to authority: He had read & reflected upon all that had been written concerning society and the control of it; also as to its actual condition, as made known by sacred and profane history, and the history of Modern times. That course of reading and

reflection familiarized him with the consideration of human rights, & strengthened his ability & disposition to maintain them. But he was no enthusiast. He thought that men had not been solely the victims of power but of circumstances, in all times, and in our day, before modern civilization had received the full impress of the principles & divine tendencies of christianity & when rulers & legislators forgot those obligations by permitting the violation of them for the advancement of State policy & trade. He thought that God had designed for men, whatever might be the condition of their humanity, which could not be taken from them by fraud, by violence, or by avarice, with impunity from God's chastisement. Under such convictions he gave freedom to the slaves he had inherited, aided them in their employments, & took care of them when they were in want. He often

said that they had been grateful, & they had never caused him a moments regret for what he had done.

By temperament he was ardent. It impulses however, could be seen in his eyes, & heard in fervent language, when it was excited by an occasion; but he was never impet-uous or vehement. He was courteous at all times, to every one without affec-tation. He was cautious & circumspect without being indecisive, & the firm resolves of his purposes & principles were habitually expressed in words showing the sincerity of his convictions without offence to any one who thought dif-ferently. He was generous, & the only measure of his liberalities was his inability to give more. He was the willing advocate, professionally, of any oppressed under color of the law, or who was too poor to litigate a legal right, or to seek in court the redress of a wrong. In doing so he encountered responsibilities by opposing preconceived public opinion, & conceited this by reconciling

popular misapprehension to himself & his client. The control of himself & his temper was no doubt the result in part of a practical philosophy, but it had its foundation in a higher source. In the full maturity of his life & mind he made a profession of his Christian belief, & with the usual constancy of his nature, he died in the faith of his ancestors in the communion of the Roman Catholic Church.

He lived in Frederick City for twenty three years, and then left it to reside in Baltimore. The prospect there of a larger practice & greater professional eminence induced him to do so. Several of the distinguished lawyers of the Baltimore bar, had died within a few years, leaving it without a leader. He took that position & maintained it with increased reputation. When he was called to Washington, having received the appointment of Attorney General of the

United States. He was at that time the Attorney General of Maryland. He had been called to that Office by the Governor and Council, though then differed in politics, at a time of Strong excitement. He was an avowed Supporter on the side in opposition to that which they took.

It was a magnanimous disregard of these differences, for which the Governor and his Counsel were honored & are still remembered. It led to his appointment as Attorney General of the United States, by which his State Reputation became National. When the latter Office became vacant, though the claims of other distinguished lawyers and politicians were discussed, yet his fitness for the discharge of the duties of the office and for the support of the principles of the Administration of which he was to become a member were admitted by all. He was a worthy successor of those able men who had held the Office for twenty years. It would be out of place at this time to particularize the cases of his official

success & ability. His arguments were listened to with the undivided attention of the Court, and whether successful or otherwise in the case, his brief comprehended all the points of it and all the laws applicable to them.

With the political course of Chief Justice Taney when he was the Attorney General and the Secretary of the Treasury, we need only say that the heated party contests of that day have passed away, with the admission of all who were engaged in them that his course was sincere, & sustained with ability; and that his virtues as a Statesman and Judge were worthy of all the honors bestowed upon him, and that they have been illustrated by services to his country which will place him in its history among our ablest & best Men.

As his predecessor, our great Judge Marshall had been, he was made Chief Justice having but recently held high political office. Both were leaders in support of the policy of the

Administrations of which they had been Cabinet officers. Each had to meet opposition from Statesman of talent and Eloquence. Marshall from those who had the impress of services in our long revolutionary struggle with England for National independence, and for their conspicuous agency in the formation of the Constitution of the United States; his successor the opposition of the men of talent and virtue, who had, as legislators and in arms, carried the nation through a successful war with the same Power in support of its commercial interests and its rights of Navigation. Neither of them passed through their political trials without being assailed by party resentments, but both received generous vindications from those who uttered them, in the spirit of kindness, confidence, & admiration of the purity of their lives and the able discharge of their official duties.

It is a happy occurrence that two such men should have been

Chief Justices in succession, and that the life of each of them should have been prolonged to their respective ages. They presided in this Court for sixty three years, & by their decisions, aided by their associates and by the learning of the District Judges of the United States, we have a body of Law, Constitutional & otherwise, & in every department of the profession, unsurpassed in the records of Courts for the security which it gives to political, personal & municipal rights. It is truly a system upon which we can rely as our sure foundation for securing the rights & independence of the States of this Union and our National Liberty. Gentlemen of the Bar, it is a part of our mission to maintain it, & if it shall be done by us with discretion, exempted from the withering corruptions of party spirit, our great country will again become what it was before it became distracted by rebellion & scourged with civil war.

The Court direct that your resolu-

=tions shall be placed on the minutes, and that they shall have such other direction as you may desire.

Proclamation being made the Court is adjourned until tomorrow morning at 10 o'clock.

Thursday December 8th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
Saml. Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Saml. F. Miller
Stephen J. Field.

Ward H Lamon Esq. Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. J. Coffey, it is ordered that J. Hubley Ashton Esquire, of Philadelphia, State of Pennsylvania was admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr B. R. Curtis, it is ordered that George O. Shattuck, & Richard

Ney Esquire of Boston, State of Massachusetts, and W. W. Cope Esquire of San Francisco, State of California be admitted to practice as Attorneys & Counsellors of this Court and they were sworn accordingly.

On Motion first made to the Court in this behalf by Mr I. M. Carlisle, it is ordered that Samuel Dale Evans Esq of Marshall, State of Texas and W. P. Campbell Esquire of Leavenworth, State of Kansas, be admitted to practice as Attorneys & Counsellors of this Court & they were sworn accordingly.

On Motion first made to the Court in this behalf by Mr Samuel W. Fuller, it is ordered that Horace F. Waite Esq of Chicago, State of Illinois be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly

Thursday December 8th 1864. Continued.

53 Thomas J. Miles & Appt vs William D. Caldwell

The argument of this cause was commenced by Mr Gantt of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oclock.

Friday December 9th 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: James M. Wayne
Sam.l Nelson
Robt. C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam.l F. Miller
Stephen J. Field

Ward H. Lamon Esq. — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Francis Kernan it is ordered that George L. Bradwell Esq of Groton, State of Massachusetts & Albert G. Browne Esquire of Boston State of Massachusetts, be admitted to practice as attorneys & counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this behalf by Mr James M. Carlisle, it is ordered

That L. W. Powell Esqre of Henderson State of Kentucky be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

53 Thomas J Miles vs William W. Caldwell, Appl

The argument of this cause was continued by Mr Green of Counsel for the applee.

230 The Bank of the Commonwealth vs The Commissioners of Taxes
231 The Bank of Commerce vs "
235 The Mechanics' Bank vs "
237 The American Exchange Bank vs "
238 The Union Bank vs "
239 The Mercantile Bank vs "
240 The Hanover Bank vs "
241 The Atlantic Bank vs "
242 The Traders Bank vs "
246 The Merchants Exchange Bank vs "
247 The Grocers Bank vs "
248 The Nering Bank vs "
249 The Importers & Traders Bank vs "
250 The Phenix Bank vs "

231 The Market Bank vs The Commissioners of Taxes &c
252 The Bank of the Rebublic vs "
253 The Oriental Bank vs "
255 The National Bank vs "
256 The Merchants Bank vs "
266 The Peoples Bank vs "
270 The Citizens Bank vs "
274 The Continental Bank vs "
297 The Nassau Bank vs "
298 The Shoe & Leather Bank vs "
328 The Bank of America vs "

Mr Bradford of Counsel for the plaintiff in Error in No 230, and in behalf of of Counsel in the other above entitled cases moved the Court to fix a day for the argument of these cases, during the present term - Whereupon this Court not being sufficiently advised what order to make in the premises took time to consider

67 John Hecker et al vs John Fowler

The argument of this cause was commenced by Mr Norton of Counsel for the plaintiff in Error, Continued by Mr

Andrews of counsel for the defendant in error, and concluded by Mr Norton for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday Morning at eleven oclock.

Monday, December 12th 1864

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: James M. Wayne
Saml. Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Saml. F. Miller
Stephen J. Field

Ward H. Lamon Esquire — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr H. Stanbery it is ordered that John O'Neal Esquire of Jamesville & W. E. Finck Esquire of Somerset, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr M. F. Waite, it is ordered that

Charles Hitchcock Esquire of Chicago, State of Illinois be admitted to practice as an Attorney & Counsellor of this Court.

On Motion first made to the Court in this behalf by Mr John A. Wolles, it is ordered that Morgan Lewis Ogden Esq of New York City be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

David Gordon & al adm^rs
160 vs Appts
The U. States

Mr Justice Wayne announced to the Bar that this cause would be called for argument on the first Tuesday of January next.

The U. States. appts
224 vs
Vicente P. Gomez

Mr Gillet of Counsel for the appellant filed a motion for a writ of certiorari in this cause.

The Pacific Mail Steamship Company Pff in Er
vs
68 William H. Ioliffe

The argument of this cause was commenced by Mr Eaton of counsel for the plaintiffs in Error, continued by Mr Cope of Counsel for the defendant in error and concluded by Mr Eaton for the plaintiff in error.

Going Hathorn. Pff in Er
vs
101 Josiah Caleff

This cause was submitted to the consideration of the Court on the record & printed arguments, by Mr Curtis of Counsel for the plaintiff in error and by Mr Shepley of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday December 13th 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: James M. Wayne
Saml. Nelson
Robt. C. Grier
Nathan Clifford
Noah H. Swayne
Saml. F. Miller
Stephen J. Field
} Associate Justices

Ward H. Lamon Esq. Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. M. Carlisle, it is ordered that William Marvin Esquire of New York City & David A. Burr Esq of Washington City, District of Columbia be admitted to practice as Attorneys & Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Cornelius Cole it is ordered that Elihu Johnson of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ann R. Dermott Ex[r] &c
vs Pfiffer Ex[r]
Jephemiah Jones

70

The argument of this cause was commenced by Mr Poe of counsel for the plaintiff in error and continued by Mr Davidge of counsel for the defendant in error

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'Clock.

Wednesday. December 14th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M. Wayne
Saml. Nelson
Robt. C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Saml. F. Miller
Stephen J. Field

Ward H. Lamon Esq: Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

The Honorable James Speed appeared & produced the following Letters Patent & Oath of Office which were read in open Court & ordered by the Court to be recorded on the minutes of this Court in the following words: Viz-

"Abraham Lincoln"
President of the United States of America.
To all who shall see these presents. Greeting.

Know Ye; That reposing special trust and confidence in the patriotism, Integrity and Abilities of James Speed, of Kentucky - I have nominated, and by & with the advice and consent of the Senate do appoint him to be Attorney General of the United States and do authorize & empower him to execute and fulfill the duties of that Office according to law and to have & to hold the said office with all the powers, privileges & emoluments to the same of right appertaining unto him the said James Speed, during the pleasure of the President of the United States for the time being.

In testimony whereof, I have caused these Letters to be made Patent & the seal of the United States to be hereunto affixed. Given under my hand at the City of Washington the Twelfth day of December, in the year of our Lord One thousand Eight Hundred & Sixty four, & of the Independence of the United States of America the Eighty ninth

Seal

Abraham Lincoln

By the President
William H. Seward
Secretary of State

I. James Speed having by & with the advice & consent of the Senate been appointed Attorney General of the United States do solemnly swear that I have never voluntarily born arms against the United States since I have been a citizen thereof: that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any Office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority power, or constitution, within the United States, hostile or inimical thereto. And I do further swear (or affirm) that, to the best of my knowl-

edge and ability, I will support and defend the Constitution of the United States against all enemies, foreign & domestic; that I will bear true faith & allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the Office on which I am about to enter: So help me God.

James Speed.

Sworn to & subscribed before me this fourteenth day of December A.D. 1864

James M. Wayne
Associate Justice
Sup Ct U. States.

Mr Justice Wayne announced to the Bar that the Bank Tax cases. Nos 230, 231, 236, 237, 238, 239, 240, 241, 242, 246, 247, 248, 249, 250, 251, 252, 253, 255, 256, 266, 270, 274, 297, 298, & 328. would be called for argument immediately after the argument of the case from the Court of Claims No 160.

On motion first made to the Court in this behalf by Mr J. M. Carlisle, it is ordered that Wheeler H. Peckham Esquire of New York City be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by the Attorney General elect, it is ordered that M. M. Benton Esquire of Covington and Charles Egnton Esquire of Winchester, State of Kentucky be admitted to practice as Attorney and Counsellors of this Court and they were sworn accordingly.

75 William Fraborer that is Pffs in Error
H. Martin Smith

Mr Cope of Counsel for the defendant in error filed in open Court a motion to dismiss this cause.

	Wm R. Dermott Esq.	The argument
70	vs Pltff in Er	of this cause
	Jephaniah Jones	was continued
		by Mr Davidge

and Mr Carlisle for the defendant in error and concluded by Mr Brent for the plaintiff in error.

	Jonathan H. Ranson	This cause
184	vs Pltff in Error	was Sub=
	Chester K. Williams &c	mitted to
		the Con=

sideration of the Court on the record and printed arguments by Mr Smith of Counsel for the plaintiff in error and by Mr Hitchcock for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday December 15th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt. C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Courts opened.

The Honorable Salmon P. Chase, having produced Letters Patent from the President of the United States, which were read in open Court in the words & figures following, to wit:

Abraham Lincoln

President of the United States of America

To all who shall see these Presents. Greeting

Know Ye; That reposing special trust

and confidence in the Wisdom, Uprightness & Learning of Salmon P. Chase, of Ohio I have Nominated and by & with the advice and consent of the Senate, do appoint Him to be Chief Justice of the Supreme Court of the United States; and do authorize and empower him to Execute and fulfill the duties of that Office according to the Constitution and Laws of the Said United States, and to have & to hold the said Office, with all the powers, privileges & Emoluments to the same of right appertaining unto Him, the Said Salmon P. Chase, during his good behaviour.

In testimony Whereof, I have caused these letters to be made patent & the Seal of the United States to be hereunto affixed.

(Seal)

Given under my hand, at the City of Washington, the Sixth day of December in the year of Our Lord One thousand Eight hundred & Sixty four and of the Independence

of the United States of
America the eighty ninth
Abraham Lincoln

By the President
William H. Seward
Secretary of State "

And thereupon the following oath
of Office was administered to him in
Open Court by Mr Justice Wayne
Senior associate Justice.

"I Salmon P. Chase, do
solemnly swear, that I will admin=
ister justice without respect to persons
and do equal rights to the poor and to
the rich, and that I will faithfully
& impartially discharge & perform
all the duties incumbent on me
as a Chief Justice of the Supreme
Court of the United States, according
to the best of my abilities and
understanding, agreeably to the
Constitution & laws of the United States
So help me God.

S. P. Chase "

On Motion first made to the Court in this behalf by Mr Peverly Ruggles, it is ordered that James G. Berret Esquire of Washington City, District of Columbia be admitted to practice as an Attorney & Counsellor of this Court.

On Motion first made to the Court in this behalf by Mr James M. Carlisle, it is ordered that Joseph Sheldon Esquire of New Haven, State of Connecticut & Nicholas Blaisdell Esquire of Boston State of Massachusetts be admitted to practice as Attorneys & Counsellors of this Court & they were sworn accordingly

James C. Stone
vs Appl
The U. States

71

The argument of this cause was commenced by Mr Ruggles of Counsel for the appellant & continued by Mr Coffey for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday, December 16th 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase,	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq:	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Courts opened.

On motion first made to the Court in this behalf by Mr James M. Carlisle, it is ordered that Samuel D. Coyle Esquire of Columbus State of Ohio, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

75 William Faccon chae vs H. Martin Smith

Mr Cope of Counsel for the defendant in Error called the attention of the Court to his motion to dismiss this cause filed on the 14th instant - Which was opposed by Mr Carlisle of Counsel for the plaintiff in Error and denied that said Motion be continued to next Friday, or until the cause should be reached in regular Order - On Consideration Whereof it is now here ordered by the Court that said motion be & the same is hereby set down for argument on Friday the 23d. instant

335 Allen Robbins vs Peff in Er The City of Chicago

Mr Fuller of Counsel for the plaintiff in Error now here suggests to the Court the death of Allen Robbins the plaintiff in error in this cause & moves the Court for leave to enter the appearance of George S. Robbins Executor &c as the party plaintiff in error in this cause with liberty to prosecute this writ of error - On Consideration

Whereof it is now here ordered by the Court that the appearance of the said George S. Robbins Executor as aforesaid be entered as the plaintiff in Error, and that the said Executor be and he is hereby made the plaintiff in error in this cause.

Louis Desobry Plff in Er. — Mr Wells of Counsel for the defendant

62 vs

John Nicholson

in error moves the Court that this cause may be argued & considered at this term of the Court & that a day be fixed for the argument of the same Whereupon this Court not being now here sufficiently advised of and concerning what order & order in the premises took time to consider.

The United States — Mr Gillet of Counsel for the appellee having filed and read in open Court

224 vs

Vicente P. Gomez

a suggestion of a diminution of the

record in this case in the words & figures following to wit:-

"That there is, in the record filed and printed in this cause, omissions and additions which render the same imperfect and insufficient."

By reason of which omissions & errors aforesaid the said counsel now here moved the Court to award a writ of certiorari to be directed to the Judge of the District Court of the United States for the Southern District of California commanding him that searching the records & proceedings of said Court in this cause he shall certify to this Court under the seal of the said District Court a full & perfect transcript of the record of said cause as the same remain on the records of said cause as the same remain on the records of said District Court. On Consideration whereof it is now here ordered & decreed by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith & to be directed to the Judge of the said District Court

commanding him that searching the records & proceedings aforesaid he forthwith certify to this Court under the Seal of the said District Court a full & perfect transcript of the record of said cause as the same remain on the records of said District Court and return the same with said writ of certiorari forthwith to this Court.

per M.Ch: Jus: Chase

The Brig Lilla & Cargo R. I. Bushby. Claimant of the Vessel & Frazier Newhoff & Co. al. Claimants of the Cargo vs Appls 218 The United States	Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the motion of Mr Bartlett of Counsel for the appellants it is now here ordered, adjudged and

decreed by this Court that this cause be and the same is hereby dismissed at the costs of the appellants

Pr Mr Ch: Jus: Chase

The Brig Lilla & Cargo &c appts vs The United States

218

It is now here ordered by the Court that the Clerk may issue the mandate in this cause during the present term of this Court.

James C. Hone & appl vs The U. States

71

The argument of this Cause was continued by Mr Coffey of Counsel for the appellee and concluded by Mr Browning for the appellant.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday December 19th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	Stephen J. Field	
Ward H. Lamon Esq.		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr Attorney General Speed it is ordered that M L. Rice Esq of Lancaster, George C. Bullingsley Esquire of Richmond, State of Kentucky and John Rand Esq of Portland, State of Maine be admitted to practice as Attorneys & Counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this behalf by Mr J. J. Green it is ordered that Robert J. MacDonald Esquire of St Louis, State of Missouri be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

66 Robert T. Harvey &c vs Peffs in Er
Edward G. Tyler &c do

Ordered by the Court that this cause be re-argued at the present term, the time to be fixed on the application of Counsel

72 Edward Hunter, Master &c Claimant &c appellant vs The U. States

The argument of this cause was commenced by Mr F. A. Smith of Counsel for the appellant and continued by Mr Eames for the appellee.

265 John McGuire vs Plff in Er Commonwealth of Massachusetts

Richardson.

Motion to fix a day for the argument of this cause filed by Mr

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday December 20th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase,	Chief Justice
	James M. Wayne	
	Sam. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam. F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

Edward Hunter, Master &c Claimant Appt vs The U. States 72

The argument of this cause was continued by Mr Eames for the appellees and concluded by Mr Larocque of Counsel for the appellant.

William T. Souber et al
vs
Ebenezer Baggs et al

The argument of this cause was commenced by Mr Bartlett of counsel for the plaintiff in error.

73

The Wheeler & Wilson Manufacturing Co.
as Appts
vs
George H. Corliss

Appeal from the Circuit Court of the United States for the District of Connecticut.

69

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut & it appearing to the Court on the facts stated by counsel that the above entitled cause has been so settled by the parties that the same cannot be further prosecuted - it is now here on the motion of Mr Curtis of counsel for the appellee, Ordered, adjudged & decreed by this Court that this cause be & the same is hereby dismissed each party paying its own costs

Ex Mr Ch: Jus: Chase

Proclamation being made the Court is ad-
journed until tomorrow Morning at Eleven o'clock

Wednesday, December 21st 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt. C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

On motion Jeff Davis made to the Court in his behalf by Mr Samuel F. Miller it is ordered that Obadiah Jackson Jr Esq of Chicago, State of Illinois be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly.

William T. Sowber et al
vs
73 Hannah Bangs et al

The argument of this cause was continued by Mr Bartlett for the plaintiff in error, by Mr Shattuck and Mr Curtis for the defendant in error and concluded by Mr Bartlett for the plaintiff in error

Stephen A. Tobey
vs Appt
74 Nehemiah Leonard et al

On the motion of Mr Olney the Court granted him an extension of one hour in the argument of this cause.

Stephen A. Tobey. appt
vs
74 Nehemiah Leonard et al

The argument of this cause was commenced by Mr Thayer of Counsel for the Appellant.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Thursday December 22d 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: Salmon P. Chase — Chief Justice
James M. Wayne
Saml. Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Saml. F. Miller
Stephen J. Field
Ward H Lamon Esq. — Marshal
Samuel Wesley Middleton — Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by the Attorney General Speed it is ordered that Charles D. Drake Esq of St Louis, State of Missouri be admitted to practice as Attorney and Counsellor of this Court and he was sworn accordingly.

74 Stephen S. Tobey. appt
vs
Nehemiah Leonard et al

The argument of this cause was continued by Mr Thacher for the appellants, by Mr Olney of Counsel for the appellees & concluded by Mr Bartlett for the appellant

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday. December 23d 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: Salmon P. Chase Chief Justice
James M. Wayne
Sam'l Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Sam'l F. Miller
Stephen J. Field
Ward H. Lamon Esq Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

86 Isaac Cook dec'd as Pff in Er
The U. States

Motion filed by the Attorney General & Speed of Counsel for the defendant in error to dismiss this cause. Ordered by the Court to be argued on Friday next the 30th instant.

John Mc Guire
vs Pltff in Er
Commonwealth of
Massachusetts

265

Mr Gillet in behalf of Mr Richardson of Counsel for the plaintiff in error called the attention of the Court to the motion filed by him to fix a day for the argument of this cause. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

The Bark Griffin
her tackle &c
vs Appts

348

The Compagnie
Anonyme d'assurances
Maritimes du Havre

Mr Carlisle of Counsel for the appellee having filed and read in open Court the following certificate to wit.

"U. S. Circuit Court

The Compagnie Anonyme
d'assurances Maritimes du
Havre. Libt appellee

vs

The Bank Griffin &c Tackle &c
Claimts & Appellants

I, Kenneth G. White, Clerk of the Circuit Court of the United States for the Southern District of New York do hereby certify that a citation was issued in the above entitled suit to the Supreme Court of the United States on the 15th day of December 1863. & made returnable the 15th day of January 1864. and also that the petition of appeal of the appellants to the U. S. Supreme Court was filed in my office 15th 1863.

(Seal) Kenneth G. White
Clerk

and having stated that the appellants had altogether failed to file the record of said cause in this court, or in any way to prosecute said appeal. Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit

Court of the United States for the Southern District of New York be & the same is hereby affirmed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding

for Mr Ch: Jus: Chase

75 William Freeborn &c
vs
H. Martin Smith &c

The argument of the motion to dismiss this cause was commenced by Mr Cope of Counsel for the defendant in error in favor of the same, continued by Mr Carlisle for the plaintiff in error in opposition thereto and concluded by Mr Cope in support of the motion.

76 William Freeborn &c
vs
H. Martin Smith &c

Ordered by the Court that the argument of this cause be

postponed for the present.

76 Charles Derby et al vs Peffo in Er Christopher M. Gallup

The argument of this cause was commenced by Mr Peckham of counsel for the Plaintiff in error, continued by Mr I. H. Bradley of Counsel for the defendant in error & concluded by Mr Peckham for the plaintiff in Error

77 Charles Merriam vs Appt George Maas & ux

This cause was argued by Mr Peckham of Counsel for the Appellant and submitted on the record & printed argument by Mr Carlisle of Counsel for the appellees

78 Gardner P. Drury vs Thomas Foster & ux And Gardner P. Drury vs appt

The argument of these causes was commenced by Mr Peckham of Counsel for the appellant

Friday December 23d 1864 Continued

Thomas Foster et al vs

Continued by Mr Carlisle of counsel for the appellee and concluded by Mr Peckham for the appellant.

Proclamation being made the Court is adjourned until Tuesday Morning at Eleven o'clock.

Tuesday December 27th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
Ward H Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Saml W. Fuller, it is ordered that Addison M Crane of Alameda State of California be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

James Lee & Benjamin C. Lee. partners as James Lee & Company
vs
90 The Chillicothe Branch of the State Bank of Ohio

In error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and on the motion of Mr Thurman of Counsel for the defendant in error stating that the matters in controversy in this cause had been agreed and settled between the parties It is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed at the costs of the plaintiff in error

per Mr Ch: Jus: Chase

The United States
vs Appt
92 Charles D. Semple

Motion filed by Mr Black of Counsel for the appellee to dismiss this cause

79 The Marine Bank of Chicago als Plffs in Error vs The Fulton County Bank

This cause was argued by Mr Fuller of Counsel for the plaintiff in error & Submitted on a printed argument by Mr Smith of Counsel for the defendant in error.

80 The Marine Bank of Chicago als Plffs in Error vs The Broadway Bank

This cause was argued by Mr Hoyne of counsel for the plaintiff in error & Submitted on a printed argument by Mr Smith of Counsel for the plaintiff in error

81 The Marine Bank of Chicago als Plffs in Error vs The Agawam Bank

and

82 The Marine Bank of Chicago als Plffs in Error vs The Western Reserve Bank

The argument of these cases was commenced by Mr Fuller of Counsel for the plaintiff in error, Continued by Mr Waite of counsel for the

defendant in error and concluded by Mr Hoyne for the plaintiff in error

83 The Marine Bank of Chicago
vs Pltffs in Error
Dudley C. Hall
In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois & on the motion of Mr Fuller of Counsel for the plaintiff in error stating that the matters in controversy in this cause had been agreed & settled between the parties. It is now here ordered & adjudged by this Court that this cause be & the same is hereby dismissed at the costs of the plaintiff in error.

per Mr Ch: Jus: Chase

The Marine Bank of Chicago as Pffs in Er vs Dudley C. Hall — Error to the Circuit Court of the United States for the Northern District of Illinois

84

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and on the motion of Mr Fuller of counsel for the plaintiff in error stating that the matters in controversy in this cause had been agreed & settled between the parties. It is now here ordered & adjudged by this Court that this cause be & the same is hereby dismissed at the costs of the plaintiff in error.

Per Mr Ch: Jus: Chase

Simeon B. Chittenden & al as Appts vs John K. Brewster & al — This cause was Submitted to the Consideration of the Court

85

on the record & printed arguments by Mr

Smith of Counsel for the plaintiff in error and by Mr Washburn of Counsel for the defendant in error

Isaac Cook, Thos Hoyne, Ezekiel S. Smith, Isam Nye, George D. Kellogg & William B. Snachook, impleaded with Charles N. Pine, Benjamin F. Pine & Breckenridge F. Blackburn Pltffs in Error
86
The United States

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois & on the motion of Mr Atto: Gen: Speed of Counsel for the defendant in Error. it is now here ordered & adjudged by this Court that this cause be & the same is hereby dismissed for the want of jurisdiction.

per Mr Ch: Jus: Chase

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

Wednesday December 28th 1864

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Rob[t] C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	Stephen J. Field	
Ward H. Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

Isaac Cook et al		Ordered by the Court
86	Ex Parte &c	that the judgment
The United States		entered in this cause
		on the 27th instant

be and the same is hereby rescinded annulled, and that this cause be and the same is hereby reinstated on the docket.

Isaac Cook et al		The motion to dismiss
86	vs Pffs in Er	this cause was argued
The United States		by Mr Attorney
		General Speed of

Counsel for the defendant in error

Isaac Cook et al		This cause was
86	vs Pffs in Er	submitted to the
The U. States		Consideration
		of the Court on

the record and printed arguments of Mr Smith of Counsel for the plaintiff in error and by Mr Attorney General Speed for the defendant in error

Elisha Morrill		In error to the
87	vs Pffs in Er	Circuit Court
Adam Nagerman		of the United
		States for the

Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois

and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute his writ of error, and failing to appear - it is thereupon on the motion of Mr Browning of Counsel for the defendant in error, now here ordered & adjudged by this Court that this cause be and the same is hereby dismissed with costs.

Per Mr Ch: Jus: Chase

88 Joseph F. Florentine as Pltff in Er vs William G. H. Barton

This cause was argued by Mr Merriman of Counsel for the defendant in error & submitted on a printed argument by Mr Grimshaw of Counsel for the pltff in error.

89 Richard Gregg et al vs Robert Forsyth

This cause was argued by Mr Ballance of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday December 29. 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

Hn Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justice
	Noah H. Swayne	
	Saml F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr B. H. Gillett, it is ordered that James H. Hays Esq of Oneonta, & Gilbert B. Scofield Esq of Unadilla State of New York be admitted to practice as attorneys & counsellors of this Court and they were sworn accordingly.

On Motion filed made to the Court in this behalf by Mr James M. Carlisle, it is ordered that William F. Mattingly Esq. of Washington City, District of Columbia be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

91 The U. States vs
its appts
David G. Cooke,
Claimt of Schooner
"Venice" &c

The argument of this cause was commenced by Mr Ashton, Assistant Attorney General of Counsel for the appellants and continued by Mr Gillet for the appellee.

Proclamation being made the Court is adjourned until tomorrow Morning at Eleven o'clock

Friday December 30th 1864.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon	Salmon P. Chase,	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	Stephn J. Field	
Ward H. Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr T. Nubly Ashton it is ordered that Ebenezer B. Shafer Esq of New York City be admitted to practice as an Attorney & counsellor of this Court & he was sworn accordingly.

The U. States
is appt
92 Charles D. Semple

Appeal from the
District Court of
the United States
for the Northern
District of California.

This cause came on to be heard on the Transcript of the record from the District Court of the United States for the Northern District of California, and on the motion of Mr Black of Counsel for the appellee, and with the consent of Mr Attorney General Speed, it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed.

for Mr Ch: Jus: Chase

The Baltimore & Ohio
Railroad Company
is Pff in Er
190 William Patterson

In error to the
Circuit Court
of the United
States for the
District of
Maryland.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Maryland & on the motion of Mr Labbe of Counsel for the plaintiff in error stating that the matters in controversy in this cause had been agreed & settled between the parties. it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed at the costs of the plaintiff in error

for Mr Ch: Jus: Chase)

McLorna Brooks
158. D. J. 1863. in Appl.
Todrick Martin

Mr Ewing in behalf of the appellant moved the Court for leave to file a motion for a rule to show cause why the decree entered in this cause should not be reformed. Whereupon this Court not being now here advised of and concerning what order to render in the premises took time to consider

91 The United States &c
vs
David G. Cooke, Claim't
of Schooner "Venice"

The argument of this cause was continued by Mr Reverdy Johnson of Counsel for the appellee and concluded by Mr Eames of Counsel for the appellants.

Proclamation being made the Court is adjourned until Tuesday Morning at Eleven o'clock.

Tuesday January 3d 1865.

Pursuant to adjournment the Court met this morning at the Capitol

Present—

The Hon:	Salmon P. Chase.	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

On motion duly made to the Court in this behalf by Mr A. Payne, it is ordered that Joseph M. Blake Esq of Bristol and Benjamin F. Thurston Esq. of Providence, State of Rhode Island, be admitted to practice as Attorneys and Counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Daniel Lord, it is ordered that E. L. Fancer Esq. of New York City. State of New York be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly

On motion first made to the Court in this behalf by Mr A. W. Bradford, it is ordered that John C. Dimmick, Randolph W. Townsend and Edward Blair Smith Esquires, of New York City, be admitted to practice as attorneys & Counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this behalf by Sam[l] W. Fuller Esquire, it is ordered that James A. Roberts & Stephen A. Goodwin Esquires of Chicago, State of Illinois, be admitted to practice as attorneys & Counsellors of this Court & they were sworn accordingly.

Thomas J. Mills
53 vs appts
Wm D. Caldwell

Appeal from the Circuit Court of the United States for the District of Missouri -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri & was argued by Counsel. On Consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be & the same is hereby reversed with costs - And it is further ordered that this cause be & the same is hereby remanded to the said Circuit Court with directions to dismiss the bill of complaint with costs; but that the dismissal shall be without prejudice to any remedy of complainant for compensation for improvements made in good faith, on the land mentioned in the bill

per Mr. Justice Miller

John Hecker and George D. Hecker vs Pffs in Er 67 John Fowler	In error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the U. States for the S. District of New York & was argued by Counsel - On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York

(Per Mr. Jus: Clifford)

John McGuire vs Pff in Er 26 The Commonwealth of Massachusetts	On consideration of the motion made on a prior day of the present term to wit: Friday the 23d December. It is now here ordered by the Court that the said motion be and the same is hereby overruled.

Tuesday January 3d 1865. Continued.

158 Mc Lorna Brooks & Dec Jeam &c Appt
Yoarich Martin

On consideration of the motion made on a prior day of the present term to wit, Friday December 30th for leave to file a motion to show cause why the decree entered in this cause should not be reformed. It is now here ordered by the court that the said leave be & the same is hereby granted.

160 David Gordon & al admrs &c Appts
The U. States

The Constitutional jurisdiction of this court to hear & decide upon appeals from the Court of Claims was argued by Mr Goodrich & Mr H. Winter Davis in favor of the same

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Wednesday January 4th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml F. Miller	
	Stephen J. Field	
Ward H. Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

230 Bank of the Commonwealth vs Pyle in Er
Commissioners of Taxes &c
and
231 Bank of Commerce vs Commissioners of Taxes &c

The argument of these causes was commenced by Mr Bradford & Mr Sillimam of Counsel for the plaintiff in error and

Continued by Mr Devlin and Mr Brady of Counsel for the defendant in error

Proclamation being made the Courts adjourned until to morrow morning at eleven oclock.

Thursday January 5th 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present-

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt. C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Lauie Wesley Middleton	Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Samuel C. Fuller it is ordered that Wm J. Bennett Esq of Galena, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr M. S. Bidwell, it is ordered that George

De Forest Lord Esquire of New York City be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

230 Bank of the Commonwealth vs Peff in Er
Commissioners of Taxes &
and
231 Bank of Commerce vs Peff in Er
The Commissioners of Taxes
in Error.

The argument of these causes was concluded by Mr Lord of Counsel for the plaintiff

236 Mechanics Bank vs Peff in Er
Commissioners of Taxes

237 American Exchange Bank vs Peff in Er
Commissioners of Taxes &
& Union Bank Peff in Er
238 vs
Commissioners of Taxes &c

These cases were Submitted to the consideration of the Court on the record by Mr Bradford of Counsel for the plaintiff in Error & by Mr Develin of Counsel for the defendant

Thursday January 5th 1865. Continued

239 Mercantile Bank
vs Pff in Er
Commissioners of Taxes

This cause was submitted to the consideration of the Court on the record by Mr Burrill of counsel for the Plaintiff in error and by Mr Sherman for the defendant in error

240 Manover Bank
vs Pff in Er
Commissioners of Taxes &c

241 Atlantic Bank
vs Pff in Error
Commissioners of Taxes &c
and
Traders Bank. Pff in Er
242 vs
Commissioners of Taxes &c

These causes were submitted to the consideration of the Court on the record by Mr Bradford of counsel for the plaintiff in error & by Mr Sherman for the defendant in error

Thursday January 5th 1865. Continued.)

246 Merchants Exchange Bank Pltff in Er vs Commissioners of Taxes &c

247 and Grocers Bank Pltff in Er vs Commissioners of Taxes

These causes were Submitted to the consideration of the Court on the record by Mr Raymond of Counsel for the plaintiff in Error & by Mr Develin for the defendant in error.

248 Irving Bank. Pltff in Er vs Commissioners of Taxes &c

This cause was submitted to the consideration of the Court on the record by Mr Bradford & Mr Raymond of Counsel for the plaintiff in error and by Mr Develin for the defendant in error

249 Importers & Traders Bank Pltff in Er vs Commissioners of Taxes &c

This cause was submitted to the consideration of the Court on the record by Mr Townsend of Counsel for the

plaintiff in error and by Mr Develin for the defendant in error

Phenix Bank. Pltff in Error vs Commissioners of Taxes &c

250

This cause was argued by Mr Van Winkle of Counsel for the plaintiff in error.

Market Bank. Pltff in Er vs Commissioners of Taxes &c

251

These causes were Submitted to the consideration of the Court by Mr Bradford of Counsel for the plaintiff in error and by Mr Develin

Bank of the Republic vs Pltff in Er Commissioners of Taxes &c

252

Oriental Bank. Pltff in Er vs Commissioners of Taxes &c

253

for the defendant in error

Thursday January 5th 1865. (continued.)

National Bank
255 vs Peffer Er
Commissioners of Taxes &c

This cause was submitted to the consideration of the Court on the record and printed argument of Mr Lord of counsel for the plaintiff in error and by Mr Develin for the defendant in error.

Merchants Bank
256 vs Peffer Er
Commissioners of Taxes &c

This cause was argued by Mr Romney of counsel for the plaintiff in error

People's Bank Peffer Er
266 vs
Commissioners of Taxes &c

This cause was submitted to the consideration of the Court on the record & printed argument of Mr Fullerton and Mr Dimmick of counsel for the plaintiff in error, & by Mr Develin for the defendant in error.

Citizens Bank Pffs in Er
vs
270 Commissioners of Taxes &c

This cause was submitted to the consideration of the Court by Mr Lake of Counsel for the plaintiff in error and by Mr Develin for the defendant in error

Continental Bank
vs Pffs in Er
274 Commissioners of Taxes &c

This cause was submitted to the consideration of the Court on the record by Mr Bradford of Counsel for the plaintiff in error and by Mr Develin for the defendant in error.

Nassau Bank Pffs in Er
vs
297 Commissioners of Taxes
and
Shoe & Leather Bank
vs Pffs in Er
298 Commissioners of Taxes &c

These causes were submitted to the consideration of the Court on the record by Mr Bradford & Mr Spencer of Counsel for the plaintiff in error and

by Mr Develin for the defendant in error.

328 Bank of America vs Peffer Et Comrs of Taxes

This cause was argued by Mr Bidwell of counsel for the plaintiff in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday January 6th 1865.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase,	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	Stephen J. Field	
Ward H Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Caleb Cushing, it is ordered that James K. Knight Esq. of St Louis, State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Samuel Lord it is ordered that Alexander L. Johnson Esq of Albany State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr I. T. Brady, it is ordered that Henry Alker Esq of New York City be admitted to practice as an attorney and counsellor of this Court and he

On motion first made to the Court in this behalf by Mr Farnsworth, it is ordered that Anson S. Miller Esq of Rockford State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Benjamin Lombard
186 &c Plff in Er
Barnard Storey. and
Humphrey Lynch

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr Fuller of counsel for the plaintiff in error stating that the matters in controversy in this cause had been agreed & settled between the parties. it is now here ordered & adjudged by this Court that this cause be & the same is hereby dismissed at the costs of the plaintiff in error

per Mr Ch: Jus: Chase

Phenix Bank. Peffin Er
250 vs
Commissioners of Taxes & assessments for the City &c of New York

The argument of this cause was continued by Mr Van Winkle for the plaintiff in error, by Mr Herman for the defendant in error in this & the other Tax cases for the defendants in error & concluded by Mr Bradford for the plaintiff in error

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday January 9th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P Chase,	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	Stephen J. Field	
Ward H. Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Samuel O. Fuller it is ordered that John Lyle King Esq. of Chicago. State of Illinois be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly

Wm H Ingle. administrator d. b. n. of Ann R. McConnell decd Plff in Er

vs

Jephenia h Jones

of Columbia

In error to the Circuit Court of the United States for the District

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the Supreme Court of the District of Columbia for further proceedings to be had therein in conformity to the opinion of this Court.

Per Mr Jus: Swayne

James C. Stone
Es appt
71 The U. States

Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Kansas & was argued by Counsel. On Consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed

per Mr. Jus: Grier

The Providence Tool Co:
93 vs Peffer
Samuel Norris

The argument of this cause was commenced by Mr Houston of Counsel for the plaintiff in Error continued by Mr Blake for the defendant in error, & concluded by Mr Payne, for the plaintiff in error

Monday January 9th 1865. Continued.

94 Rachel Campbell is Appt
William Campbell Esq.

This cause was Submitted to the consideration of the Court on the record and printed arguments by Mr Eames of Counsel for the appellant and by Mr Stone of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow Morning at Eleven oclock.

Tuesday January 10th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt. C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam. F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

95 William Sheels in Error vs Henry R. Selden's Lessee

This cause was argued by Mr Hendricks of Counsel for the defendant in error and submitted on a printed argument by Mr Dumont of Counsel for the plaintiff in error

96 Frederick W. Coleman vs The Hudson River Bridge Company at Albany

The argument of this cause was commenced by Mr Carlisle of Counsel for the appellant, and continued by Mr Paige of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow Morning at Eleven o'clock.

Wednesday January 11th 1865.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	Stephen J. Field	
Ward H Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion duly made to the Court in this behalf by Mr I. C. L. Phelps, it is ordered that Richard Crowley Esq. of Rochester State of New York, be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly.

96 Frederick W. Coleman vs The Hudson River Bridge Company at Albany appt

The argument of this cause was continued by Mr Phelps & Mr Seward of Counsel for the appellee and by Mr Beverdy Johnson of Counsel for the appellants.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Thursday January 12th 1865.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam'l Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam'l F. Miller	
	Stephen J. Field	
Ward H. Lamon Esq		Marshal
Daniel Toesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion of Mr Attorney General Speed, it is ordered by the Court that the proceedings of the Baltimore Bar, be entered on the minutes of this Court. They are as follows, viz:

A general meeting of the Bar, which was called for Thursday, October 14th at the room of the Superior Court, was more

numerously attended than any similar pro=
fessional assemblage ever held in the City.
Judge Martin of the Superior Court, pre=
sided, assisted by Judge Giles, Judge Krebs
Judge Alexander and Judge King.
Frederick W. Brune and Benjamin
C. Prestman Esqs, acted as Secretaries.
A committee of twelve, consisting of the
Hon: Reverdy Johnson, William Schley
William Price, William H. Collins,
J. Parkin Scott, George M. Gill. J. Merritt
Steele. St George T. Leakin. Robert J. Brent,
George William Brown, S. T. Wallis and
William M. Merrick Esqrs, was appointed
by the chair, on motion, to submit matter
to the meeting for its action. The committee
through its chairman, reported the following
resolutions which were read by Mr Wallis.

The Chief Justice of the Supreme Court
of the United States, the Hon: Roger Brooke
Taney, of Maryland, having been removed
by death from the exalted station which his
talents and virtues had dignified so long.

The members of the Bench and Bar of
Baltimore assembled to testify their sense

of a calamity, so grievous to the profession and the Country and so full of sorrow to themselves, have accordingly Resolved, That the loss which the public interests and Service have sustained in the death of this illustrious Magistrate can, with difficulty be measured or repaired. Born amid the Struggles which gave us independence, he was cast in the mould of the greatness which they fashioned. He learned from the lips of the Fathers of the Republic, the Constitutional doctrines and free principles upon which they grounded their hopes of its stability, and he was taught by his own instincts & nurtured by their precepts and example, in the Stainless purity, the noble self devotion and manly fidelity to duty, which were the glory of those better days.

To a grasp and comprehensiveness of intellect which no problem of jurisprudence could Embarrass, he united the acuteness and vigor of analysis & a broad Sagacity in the appreciation & application of principles

which rose to the level of genius. Though he had studied his profession until its science was ingrained in his mind, he was attracted to that learning only which illustrates right, and had the wholesome contempt of a great soul for the subtleties which prevent it. As an advocate, he was gifted alike with ingenuity, perseveress and power; possessing, in a rare degree, the passionless but effective eloquence of pure logic and unclouded statement. Upon the bench, he was a judge, in the genuine meaning of the word: regarding nothing & deciding nothing but the questions which he believed to be in controversy before him; never permitting himself to be withdrawn, for an instant, from their exclusive consideration, by the pride of judicial learning or opinion, or the temptations of Elementary or collateral disquisition.

Of the remarkable faculties which he thus developed in his judicial inquiries after truth, the recorded judgments of the Supreme tribunal over which he presided will be the most enduring monument;

but the memory of those who had the good fortune to attend the exercise of his appellate jurisdiction in admiralty, on the Circuit, will perhaps recall, with even greater admiration, the extraordinary variety and range of his endowments, and "the placid equity & mediating wisdom" which he there administered and uttered.

Of the moral qualities which gave weight to his intellect and force and greatness to his long and eminent career, no praise could be exaggeration. His whole existence was a struggle with bodily suffering & weakness, which would have condemned almost any other man to the seclusion of his chamber and perhaps an early grave. But his fortitude and energy were boundless; his religious convictions, and trusts were deep and unfailing and his will was as inflexible as his purposes were high and just. No seduction could have allured, and no power could have bent him. He was incapable of littleness

or meanness. His courage, both physical and moral, was equal to any responsibility, save a breach of integrity or a forfeiture of self respect. Yet, in his private life, he was a pattern of gentleness, simplicity and modesty, of warm affection and cordial friendship & uncalculating charity. His judicial temper too, and manner, were the perfection of indulgent courtesy and of patient, considerate and dignified attention. No one who was capable of comprehending such a character could approach him without reverence or witness as we have witnessed his administration of justice, without mourning that "God's Providence has snatched him even in the fullness of age, from the needs of his country.

Resolved, That the members of the bench and bar of this City will wear the usual badges of mourning in grateful token of their veneration for the memory of the deceased and their appreciation of his public services and private virtues.

Resolved. That the proceedings of this

meeting be published in the journals of the day, and that a transcript thereof be communicated, by its officers, to the family of the late Chief Justice, with the respectful expression of our sympathy in their affliction.

Resolved further. That the several Courts of this City be requested to record these proceedings upon their minutes, in perpetuae testimony, and that a copy be also forwarded by the chairman of this meeting to the Attorney General of the United States with the request that he present the same to the Judges of the Supreme Court, at its next Session.

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102 The United States vs Appls Henry de Graw, Charles Brown, & Milton Little Substituted for J. P. Leese et al

Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Attorney General Speed of Counsel for the appellants - it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed.

for Mr Ch: Jus: Chase -

103 The U. States
vs
Thomas W. Moore
Substituted for the
heirs of C. A. Carrillo

Appeal from the
District Court
of the United
States from the
Southern Dis=
trict of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & on the motion of Mr Attorney Genl Speed of Counsel for the appellants it is now here ordered adjudged and decreed by this Court that this cause be and the same is

hereby dismissed.

pr Mr Ch: Jus: Chase

Frederick W. Coleman
vs Appl
The Hudson River Bridge
Company a/c Albany.

96

The argument of this cause was concluded by Mr Rowley & Johnson for the Appellants.

Henry G. Norton
vs Pltffs in Er
George Botsford

191

In error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York & on the motion of Mr Fuller in behalf of Counsel - it is now here ordered & adjudged by this Court that this cause be & the same is hereby dismissed each party paying his own costs as per stipulation filed.

pr Mr Ch: Jus: Chase.

Thursday January 12th 1865 Continued

Proclamation being made the Court is adjourned until Monday Morning at Eleven o'clock.

Monday. January 16th 1865.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase.	Chief Justice
	Samuel Nelson	
	Robt C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam[l] F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

276 Willis Hunniston as Appt of John Slaughter

On motion of Mr Carlisle leave was granted to file motion of Mr Gifford to dismiss and that said motion be set for argument on Friday next.

William J. Lowber, John R. Wilmer & Frederick Lennig Pltffs in Er
vs
Elkanah Bangs and William H. Bangs

In error to the Circuit Court of the United States for the District of Massachusetts.

73

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this Cause, be & the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the Opinion of this Court

per Mr Jus: Swayne

Dissenting
Mr Jus: Clifford
" " Nelson

Going Hathorn
vs Pltff in Er
101 Sarah P. Calef and
William P. Haines Exrs
of Josiah Calef, decd

In Error to the
Supreme Court
of the State
of Maine.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Maine & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court with directions to award a venire facias de novo.

per Mr Justice Nelson

The U. States
vs Appts
109 Manuel Larios

Appeal from the District Court of the U. States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Attorney General Speed of Counsel for the appellants. it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed.

for Mr Ch: Jus: Chase.

The U. States
vs
129 Cayetano Juarez

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and on the motion of Mr Attorney General Speed of Counsel for the appellants. It is now here ordered, adjudged and decreed by this Court that this cause be & the same is hereby dismissed.

for Mr Ch: Jus: Chase

The U. States
131 vs Appts
Thomas O. Larkin

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and on the motion of Mr Attorney General & Speed of Counsel for the appellants it is now here ordered, adjudged, & decreed by this Court that this cause be & the same is hereby dismissed

for Mr Ch: Jus: Chase

The U. States
155 vs appts
Rufina Castro et ux

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern

District of California. and on the motion of Mr Attorney General Speed of Counsel for the appellants it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed.

Jr Mr Ch: Jus: Chase

97 Jarvis Case is Pepp in Error George W. Brown

The argument of this cause was commenced by Mr Roberts of Counsel for the plaintiff in error and continued by Mr Goodwin for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Tuesday January 17th 1865.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	Saml. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	Stephen J. Field	
	Ward H Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr D. A. Hawkins, it is ordered that A. B. Olmstead Esq, of New York City be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

On motion just made to the Court in this behalf by Mr George H. Pendleton it is ordered that Chilton A. White Esq

of Georgetown, State of Ohio, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

Order of Court.

A Chief Justice of this Court having been appointed since its last session, it is ordered that the following allotment be made of the Chief Justice and Associate Justices among the Circuits, agreeably to the act of Congress in such case made & provided; & that such allotment be entered of record, to wit:

For the First Circuit — Nathan Clifford — Associate Justice
" " Second " — Saml. Nelson — " "
" " Third " — Robt. C. Grier — " "
" " Fourth " — Salmon P. Chase — Chief Justice
" " Fifth " — James M. Wayne — Associate Jus.
" " Sixth " — John Catron — " "
" " Seventh " — Noah H. Swayne — " "
" " Eighth " — David Davis — " "
" " Ninth " — Saml. F. Miller — " "
" " Tenth " — Stephen J. Field — " "

Jarvis Case Pffn Er
&
97 George W. Brown

The argument of this cause was continued by Mr Goodwin for the defendant in Error & concluded by Mr Roberts for the plaintiff in error.

John T. Whitaker et al
&
98 Pffs in Er
Calvin D. Read

The argument of this cause was commenced by Mr Goodwin of counsel for the plaintiff in error, continued by Mr Roberts for the defendant in error and concluded by Mr Goodwin for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday January 18th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	Sam[l] Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Samuel F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq.	Marshal
	Maurice Wesley Middleton	Clerk

Proclamation being made the Court is opened.

321 William B. Astor & Appt vs Bank of State of Missouri et al

Appeal from the Circuit of the United States for the District of Missouri.

This cause came on to be heard on the transcript & the record from the Circuit Court of the United States for the District of Missouri, and on the motion of Mr

Carlisle of Counsel for the appellant.
it is now here ordered, adjudged and
decreed by this Court that this cause
be and the same is hereby dismissed
at the costs of the plaintiff in Error.
for Mr Ch: Jus: Chase

99 Gustavus Kattler vs Pffs in Er Solomon A. Smith

This cause was argued by Mr Fuller of Counsel for the defendant in Error. and Submitted on a printed argument by Mr Smith for the Pffs. in Error

100 The Bay State Steamboat Company. Claimants &c vs Appts The New London Transportation Company.

Ordered by the Court that this cause be & the same is hereby postponed to the foot of the docket pursuant to the 20th Rule of this Court.

105 William E. Banks
vs Pff in Error
William B. Ogden

The argument of this cause was commenced by Mr Wills of counsel for the plaintiff in error and continued by Mr Fuller for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday January 19th 1865.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	Saml. Nelson	
	Robt. C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

105 William E. Banks
vs
William B. Ogden
Pettis Et

The argument of this cause was concluded by Mr Wells for the plaintiff in error.

106 The Schooner Cora & Cargo
vs
The U. States
Appts

On motion of Mr Cushing it is now here ordered by the Court that his appearance for the appellants in this cause be & the same is hereby entered out.

126 The U. States vs Appts Charles White's Widow & Heirs

On motion of Mr Cushing it is now here ordered by the Court that his appearance for the appellee in this cause be and the same is hereby stricken out.

106 The Schooner Cora & Cargo Robert May, Master & Claimant vs Appellant The United States

Appeal from the District Court of the United States for the Southern District of Florida

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Florida, & the appellant having been three times solemnly called by the Marshal to come into Court & prosecute his appeal, & failing to appear. It is thereupon on the motion of Mr Attorney General Speed of Counsel for the appellee, now here ordered, adjudged & decreed by this Court that this cause be & the same is hereby dismissed.

Per Mr Ch: Jus: Chase

The Schooner Florida & Cargo
Wm. Marr, Master & Claimt
vs Appt
107 The United States

Appeal from the District Court of the United States for the Southern District of Florida.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Florida, & the appellant having been three times solemnly called by the Marshal to come in to Court & prosecute his appeal & failing to appear - it is thereupon on the motion of Mr Attorney Gen. Speed of Counsel for the appellee, now here ordered, adjudged and decreed by this Court that this cause be & the same is hereby dismissed

pr Mr Ch: Jus: Chase

Robert J. Harvey &c
vs Petitioner
66 Edward G. Tyler &c

Motion of Mr Johnson to continue to next term filed.)

George S. Miller
vs Pltff in Er
108 Jameson C. Sherry

This cause was argued by Mr Browning and Mr Ewing of Counsel for the defendant in error & submitted on printed argument by Mr E. A. Smith of Counsel for the pltff in error.

Smyth Clark et al
vs Pltff in Er
110 Mark Sheldon, W. H. Grams & O. F. Griffin

Error to the Supreme Court of the Territory of Nevada.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Nevada, & it appearing to this Court here that no appearance of Counsel has been entered in this case, it is thereupon pursuant to the 18th rule of this Court, now here considered, ordered & adjudged by this Court that this cause be & the same is hereby dismissed with costs, & that this cause be & the same is hereby remanded to the said Supreme Court to be proceeded in according to law & justice

Per Mr Ch: Jus: Chase

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Friday January 20th 1865.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	Samuel Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam'l F. Miller &	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

135 The United States vs Appts / John A. Sutter

Mr Wells of Counsel for the United States moved the Court that No 196. be argued at the same time when this case is reached. they being appeals in the same case. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

152 The United States vs Appts Josefa de Haro et al

Mr Wells of Counsel for the United States moved the Court that No 233 be argued at the same time, when this case is reached. they being appeals in the same case. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider

365 Roe dem: L. H. Willberger vs Pltff in Er Henry S. Davis

Mr Gilpin of Counsel for the Defendant,

in Error having filed and read in open Court the following certificate to wit: "Roe Dem: L. H. Willberger vs Henry S. Davis No 989. Trials May Term 1858 Ejectment, defence entitle. Not guilty & issue, 3d June 1858. Jury sworn

Verdict for defendant.
Writ of Error, appeal bond &c

1859. Feby 25. Record sent to Supreme Court United States.

District of Columbia: To wit:

I Peter J. Meigs Clerk of the Supreme Court of the District of Columbia do hereby certify, that on the 3d June A.D. 1858, a judgment was entered in the above entitled cause rejecting the Plaintiffs title to the land claimed in the same, on which the Plaintiff sued for th a writ of error, and transcript of the Record of proceedings was transmitted to the Supreme Court of the United States on the 20th February A D. 1859 as appears of Record in this office

(Seal)

In testimony whereof, I have hereunto subscribed my name & affixed the seal of said Court this 17th day of January A D. 1865.

P. J. Meigs Clk

and having stated that the Plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error. Now here moved the Court in pursuance of the

9th rule of this Court to have this writ of error docketed & dismissed. On consideration whereof it is now here ordered & adjudged by this Court that this writ of error to the Supreme Court of the District of Columbia be & the same is hereby docketed & dismissed with costs, & that this cause be & the same is hereby Commanded to the said Supreme Court for further proceedings to be had thereon in conformity to law & justice the said writ of error notwithstanding.

per Mr Ch: Jus: Chase

270 Willis Hunnicutt is appt / John Hamilthrop & al

On motion of Mr Carlisle, it is now here ordered by the Court that the motion to dismiss this cause be & the same is hereby set down for argument on Friday the 10th February, and that he give due notice by this Order to the opposite counsel.

113 The Schooner Andromeda (claimant appts) vs The United States

On the motion of Mr Johnson at the request of the respective Counsel in No 112, it is now here ordered by the Court that this cause be substituted for No 112, & be argued immediately after the close of the argument in No 111.

111 James W. Badger (claimant appt) vs Daniel D. Badger

The argument of this cause was commenced by Mr Robb of Counsel for the appellant, continued by Mr Marvin of Counsel for the appellee & concluded by Mr Robb for the appellant.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase.	Chief Justice
	Saml. Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Saml. F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Attorney General Speed it is ordered that Charles E. Clifford Esquire of Newfield, State of Maine be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr O. H. Browning, it is ordered that J. K. Herbert Esq, of Washington

City, District of Columbia be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr W. M. Evarts, it is ordered that Edwards Pierrepont Esq. of New York City, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

The Marine Bank of Chicago
in Pff. in Error
79 The Fulton County Bank.

In Error to the Circuit Court of the United States for the District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is

hereby affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois

for Mr Justice Miller

80 The Marine Bank of Chicago vs Jeffs in Error to The Broadway Bank — In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois

for Mr Justice Miller

81 The Marine Bank of Chicago vs Jeffs in Error / The Agawam Bank } In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs, & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Mr Justice Miller

82 The Marine Bank of Chicago vs The President, Directors & Co of the Western Reserve Bank use of Thos. J. Porter & H. Porter — In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

pr Mr. Justice Miller

77 Charles Merriam. Appl vs G. Haas & Mary Haas, his Wife — Appeal from the District Court of the U. States for

the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and was argued by counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the District Court of the United States for the District of Minnesota in this cause be & the same is hereby reversed with costs. And that this cause be & the same is hereby remanded to the Circuit Court of the United States for the District of Minnesota, with directions to enter a decree therein in conformity to the opinion of this Court.

Mr Justice Miller.

88 Joseph F. Florentine vs William G. H. Barlow, Peffer — In error to the Circuit Court of the U. States for the Northern District of Illinois.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Northern District of Illinois & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Jr Mr Justice Grier

78 Gardner P. Drury vs Thos. Foster & Hannah C. Foster his Wife. Appeal from the District Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota & was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the District Court of the United States for the District of Minnesota in this cause be & the same is hereby affirmed with costs

& interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Minnesota - and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Minnesota.

per Mr Justice Nelson

Richard Gregg and Charles Ballance vs Peffer
89 Robert Forsyth

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel - On consideration whereof It is now here ordered & adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr Justice Nelson

Gardner P. Drury
&c Appts
104
Thos. Foster, & Hannah L.
Foster his Wife

Appeal from the
District Court
of the United
States for the
District of
Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and was argued by Counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the District Court of the United States for the District of Minnesota in this cause be & the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Minnesota - And that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Minnesota

per Mr Jus: Nelson

Rachel Campbell
vs Appl
94 Bushrod W. Reed
Executor of William
Campbell, decd

Appeal from the
Circuit Court
of the United
States for the
District of
Columbia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction, & that this cause be and the same is hereby remanded to the Supreme Court of the District of Columbia.

per Mr Ch: Jus: Chase

The Bay State Steamboat Company, Claimts of the Steamboat Metropolis her Engine &c, and William Brown, Master

vs Appts

The New London Steam Transportation Company

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York. And on the motion of Mr Donohue it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed each party paying its own costs.

Pr Mr Ch: Jus: Chase

Marcus Spencer &c

vs Pltff in Er

Charles L. Strong &c

Motion of Pltff in Er to dismiss filed.

Monday January 23d 1865 Continued.)

The U. States. appls
vs
135 John A. Sutter

It is now here ordered by the Court that No 196 be argued with this cause pursuant to the motion of Mr Wells filed on the 20th instant.

The U. States. appls
vs
152 Josefa de Haro et al

It is now here ordered by the Court that No 233 be argued with this cause pursuant to the motion of Mr Wells filed on the 20th instant.

The Schooner Andromeda & Cargo
vs appts
113 The U. States

The argument of this cause was commenced by Mr Gillet of Counsel for the appellant, continued by Mr Coffey for the appellee & by Mr Reverdy Johnson for the appellant.

Proclamation being made the Court is adjourned until to morrow morning at Seven o'clock.

Tuesday January 24th 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	Saml. Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Saml. F. Miller &	
	Stephn J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. Hubley Ashton, it is ordered that Charles Gilpin Esquire of Philadelphia, State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly.

Ann R. Lemmons adm.x &c
70 vs Pltff in Error
Jephemiah Jones

Ordered by the Court on motion of Mr Carlisle, that leave be & the same is hereby granted that the Clerk may issue the Mandate in this case during the present term of this Court.

The Schooner Ann Caroline
112 vs Appt
William H. Voiles

The argument of this cause was commenced by Mr Donohue of Counsel for the appellants, continued by Mr Benedict of Counsel for the appellee and concluded by Mr Donohue for the appellants.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Wednesday January 25th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam'l Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam'l F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	David Wesley Middleton	Clerk

Proclamation being made the Court is opened.

113 The Schooner Andromeda &c vs Appl The U. States

The argument of this cause was concluded by Mr Johnson for the appellants.

John Hogan } Writ in Error
vs
Daniel D. Page

This cause was argued by Mr Lawrence and Mr Browning of counsel for the plaintiff in error and submitted on printed argument by Mr Gantt for the defendant in error.

The Heirs of Jose Higuera } Appt
vs
The United States

115

The argument of this cause was commenced by Mr D. N. Bradley of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday, January 26th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase,	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Samel F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq.	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr R. H. Gillet, it is ordered that Daniel S. Norton Esquire of Lyons State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thursday January 20th 1865. (continued.)

115 The Heirs of José Higuera vs Appt The United States

The argument of this cause was continued by Mr Wells of counsel for the appellee, and concluded by Mr Bradley for the appellants.

116 The Bark Sarah &c vs Appt The U. States

The argument of this cause was commenced by Mr Evarts of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Friday, January 27th 1865.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase,	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	Stephen J. Field	
Ward H. Lamon Esq.		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr W. M. Evarts, it is ordered by the Court that Asa Bird Gardner Esq of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Friday January 27th 1865. Continued

116 The Bank Sarah &c vs The United States

The argument of this cause was continued by Mr Coats for the appellant & by Mr Coffey for the appellee & concluded by Mr Coats for the appellant.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday January 30th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase,	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt C Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

68 The Pacific Mail Steamship Company &c Petitioners
William H. Seliffe

In error to the County Court of the City & County of San Francisco.

This cause came on to be heard on the transcript of the record from the County Court of the City & County of San Francisco & was argued by counsel - On consideration whereof

it is now here ordered & adjudged by this Court that the judgment of the said County Court in this cause be & the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of California

per Mr Justice Field.

Dissenting
Mr Justice Miller
" " Clifford
" " Wayne

Jonathan H. Ransom
vs
Chester K. Williams & Horatio Wales.

184

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the U. States for the Northern District of Illinois & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs.

per Mr Justice Swayne

Isaac Cook. Thomas Hoyne
Ezekiel S. Smith. Isaac Nye,
George D. Kellogg & William
B. Snowhook. impleaded with
Charles N. Pine, Benjamin F. Pine
& Beckenridge F. Blackburn
86 vs Plffs in Error
The United States

In Error to the
Circuit Court
of the
United
States for
the Northern
District of
Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby reversed and that this cause be & the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr Justice Clifford.

Monday January 30th 1865. (continued.)

98 John J. Whitaker, Francis H. Bowman and John Lloyd vs Peffin Ex Calvin D. Reed — In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs, & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

(per Mr Justice Clifford.)

The People of the State of New York ex rel: The Bank of the Commonwealth
as Pltff in Error
230 The Commissioners of Taxes & assessments for the City & County of N. York

In Error to the Court of appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of appeals of the State of New York and was argued by counsel - On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of appeals in this cause be and the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court.

Pr Mr Justice Nelson

The People of the State of New York: Ex rel: The Bank of Commerce vs Pltff in Error
231 The Commissioners of Taxes and assessments for the City & County of New York.

In Error to the Court of appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of appeals of the State of New York and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of appeals in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court.

Jr Mr Jus: Nelson

	The People of the State of New York, ex rel. The Mechanics Bank	In error to the Court of appeals of the State of New York.
236	vs Pltff in Error	
	The Commissioners of Taxes & assessments for the City & County of New York.	

This cause came on to be heard on the transcript of the record from the Court of appeals of the State of New York & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of appeals in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court.

Per Mr. Justice Nelson.

237

The People of the State of New York ex rel. The American Exchange Bank vs Peffers The Commissioners of Taxes & assessments for the City & County of New York

In error to the Court of appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of appeals of the State of New York and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of appeals in this cause be & the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court.

per Mr Justice Nelson

The People of the State of New York
Ex rel. The Union Bank
vs Plaintiffs in Error
238 The Commissioners of Taxes &
Assessments for the City & County
of New York.

In error to
the Court
of Appeals
of the
State of
New York.

This cause came on to be heard on the transcript
of the record from the Court of appeals of the State of
New York and was argued by Counsel — On
Consideration Whereof it is now here ordered &
adjudged by this Court that the judgment of
the said Court of appeals in this cause be
& the same is hereby reversed with costs —
and that this cause be and the same is
hereby remanded to the said Court of appeals
with directions to enter judgment in con=
formity to the opinion of this Court
per Curiam: Nelson

The People of the State of New York
Ex rel: The Mercantile Bank
vs Plffs in Error
239 The Commissioners of Taxes &
Assessments for the City & County of N. York

In error to
the Court of
appeals of the
State of New
York.

This cause came on to be heard on the transcript of the record from the Court of appeals of the State of New York and was argued by Counsel - On consideration whereof it is now here ordered & adjudged by this Court that the judgement of the said Court appeals in this cause be & the same is hereby reversed with costs - And that this cause be and the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court.

per Mr Justice Nelson

The People of the State of N. York ex rel: The Hanover Bank vs Peffs in Error
240 The Commissioners of Taxes & Assessments for the City & Co: of N. York. } In error to the Court of appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of appeals of the State of New York & was argued by Counsel — On consideration whereof it is now ordered, & adjudged by this Court that the

judgment of the said Court of appeals in this cause be and the same is hereby reversed with costs. And that this cause be & the same is hereby remanded to the said Court of Appeals with directions to enter judgment in conformity to the opinion of this Court.

Pr Mr Jus: Nelson

The People of the State of New York
Ex rel: The Hanover Bank
vs Pltffs in Error
The Commissioners of Taxes and assessments for the City & Co: of N. York.

In Error to the Court of appeals of the State of N. York

2240

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Appeals in this cause be & the same is hereby reversed by costs. And that this cause be & the same is hereby remanded to the said Court of Appeals with directions to enter judgment in conformity to the Opinion of this Court.

Pr Mr Jus: Nelson

The People of the State of New York: Ex rel: The Atlantic Bank
vs Pltffs in Error
241 The Commissioners of Taxes & Assessments of the City & Co: of New York.

In Error to the Court of appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of appeals of the State of New York & was argued by Counsel. On Consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Appeals in this cause be & the same is hereby reversed with costs & that this cause be & the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court.

per Mr Justice Nelson

The People of the State of New York by rel: The Tradesmen's Bank
242 vs Pltffs in Er
The Commissioners of Taxes & assessments for the City & County of New York

In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York & was argued by Counsel. On Consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Court of Appeals with directions to enter judgment in conformity to the Opinion of this Court
for Mr Justice Nelson

The People of the State of New York Exrel: The Merchants Exchange Bank
246 vs Pltffs in Error
The Commissioners of Taxes & assessments for the City & County of New York

In error to the Court of Appeals of the State of New York

This cause came on to be heard on the Transcript of the record from the Court of Appeals of the State of New York & was argued by Counsel. On Consideration Whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Appeals in this cause be & the same is hereby reversed with costs. And that this cause be & the same is hereby remanded to the said Court of Appeals with direction to enter judgment in conformity to the opinion of this Court.

for Mr Justice Nelson.

The People of the State of New York ex rel: The Mechanics Bank
vs
The Mayor &c of the City of New York

247 The Commissioners of Taxes & Assessments for the City & County of New York

In Error to the Court of Appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by Counsel. On consideration Whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Appeals in this

cause be and the same is hereby reversed with costs. and that this cause be & the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court.

Pr Mr Jus: Nelson

The People of the State of New York
Ex rel: The Ironing Bank
vs Plff in Error
The Commissioners of Taxes &
assessments for the City & Co: of New York

Motion to the Court of Appeals of the State of New York

248

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York & was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be & the same is hereby reversed with costs - And that this cause be and the same is hereby remanded to the said Court of Appeals with directions to enter judgment in conformity to the opinion of this Court.

Pr Mr Jus: Nelson

249

The People of the State of New York: Appt:
The Importers & Traders Bank
Ets Plff in Error
The Commissioners of Taxes and
Assessments for the City & Co: of N. York

In Error
to the
Court of
Appeals of
the State of
New York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Court of Appeals with directions to enter judgment in conformity to the opinion of this Court.

Mr. Justice Nelson.

The People of the State of New York
ex rel: The Phenix Bank
vs Plffs in Error
250 The Commissioners of Taxes & Assessments
for the City & County of New York

In Error to the Court of appeals of the State of N. York

This cause came on to be heard on the transcript of the record from the Court of appeals of the State of New York & was argued by Counsel - On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of appeals in this cause be & the same is hereby reversed with Costs - And that this cause be and the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court.

for Mr Jus: Nelson

The People of the State of New York
ex rel The Market Bank
vs Plffs in Error
251 The Commissioners of Taxes & Assessments
for the City & County of New York

In error to the Court of appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by Counsel. On consideration whereof it is now hereordered & adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Court of Appeals with directions to enter judgment in conformity to the opinion of this Court.

Mr Justice Nelson

The People of the State of New York Ex rel. The Bank of the Republic &c Plaintiffs in Error
252 The Commissioners of Taxes & Assessments for the City & Co: of N York

In Error to the Court of Appeals of the State of N. York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York & was argued by Counsel. On consideration whereof it is now hereordered & adjudged by this Court that the judgment

of the said Court of appeals in this cause be & the same is hereby reversed with costs - And that this cause be & the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court.

Pr Mr Jus: Nelson

253

The People of the State of New York
ex rel: The Oriental Bank
vs Pff in Error
The Commissioners of Taxes & assessments
for the City & County of New York

In Error to the Court of appeals of the State of New York

This cause came on to be heard on the Transcript of the record from the Court of appeals of the State of New York and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of appeals in this cause be and the same is hereby reversed with costs - And that this cause

be and the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court

per Mr Justice Nelson

255 The People of the State of New York Ex rel: The National Bank &c Plff in Error vs The Commissioners of Taxes & Assessments for the City and County of New York

In error to the Court of Appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of appeals in this case be and the same is hereby reversed with costs & that this cause be & the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court.

per Mr Justice Nelson

The People of the State of New York
ex rel: The Merchants Bank
vs Plaintiff in Error
256
The Commissioners of Taxes &
assessments for the City & County
of New York.

In Error to the
Court of Appeals
of the State
of New
York

This cause came on to be heard on the transcript of the record from the Court of appeals of the State of New York & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Court of Appeals with directions to enter judgment in conformity to the Opinion of this Court.

per Curiam: Nelson

266

The People of the State of New York ex rel: The Peoples' Bank Plff in Error
vs
The Commissioners of Taxes & assessments for the City & County of New York

In Error to the Court of Appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York & was argued by Counsel - On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby reversed with costs - and that this cause be & the same is hereby remanded to the said Court of Appeals with directions to enter judgment in conformity to the opinion of this Court.

per Mr Jus: Nelson

The People of the State of New York by rel: The Citizens Bank vs Plaintiff in Error
270 The Commissioners of Taxes and Assessments for the City and County of New York

In error to the Court of Appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by Counsel. On Consideration Whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of Appeals in this cause be & the same is hereby reversed with Costs - And that this cause be & the same is hereby remanded to the said Court of Appeals with directions to enter judgment in conformity to the Opinion of this Court.

Mr Justice Nelson

The People of the State of New York ex rel: The Nassau Bank vs Plaintiffs in Er
297 The Commissioners of Taxes & assessments for the City & County of New York

In error to the Court of appeals of the State of New York

This cause came on to be heard on the Transcript of the record from the Court of appeals of the State of New York and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of appeals in this cause be & the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court.

Per Mr Justice Nelson.

The People of the State of New York
ex rel: The Shoe & Leather Bank
vs Plaintiffs in Error
298 The Commissioners of Taxes & assessment
for the County & City of New York

In error to the Court of Appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of appeals of the State of New York & was argued by Counsel. On Consideration Whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of appeals in this cause be & the same is hereby reversed with costs. And that this cause be & the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court.

Mr Justice Nelson

The People of the State of New York
Ex rel: The Bank of America
328 vs Plaintiffs in Er
Com[rs] of Taxes & Assessments. City & Co: of N. York

In Error to the Court of Appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York & was argued by counsel — On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of appeals in this cause be & the same is hereby reversed with costs. And that this cause be & the same is hereby remanded to the said Court of appeals with directions to enter judgment in conformity to the opinion of this Court

for Mr Justice Nelson

Edward Hunter, Master & claimant of the British Steamer Circassian & Cargo
vs
The United States

Appeal from the District Court of the United States for the Southern District of Florida

72

This cause came on to be heard on the transcript of the record from the District Court of the United States for

the Southern District of Florida and was argued by Counsel. On Consideration Whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

pr Mr Ch: Jus: Chase

Dissenting Mr Jus: Nelson

117 The Levy Court of the County of Washington pl'ff in Error
vs
Thomas Woodward

The argument of this cause was commenced by Mr W. S. Cox of Counsel for the plaintiff in Error, continued by Mr Bradley for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday January 31. 1865.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	Stephen J. Field	
Ward H. Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion first made to the Court on this behalf by Mr Reverdy Johnson, it is ordered that Edward Stanley Esquire of San Francisco, State of California be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. J. D. Fuller, it is ordered that John J. Deavitt Esq. of St Albans State of Vermont, be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly

97 Jarvis Case. Pltff in Error
&
George W. Brown

In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Grier

The Orphans Court of the County of Washington
vs
117 Thomas Woodward

The argument of this cause was continued by Mr Bradley for the defendant in error and concluded by Mr Coe for the plaintiff in error.

John B. Murray that is
vs Deft in Error
118 Richard P. Vandries

The argument of this cause was commenced by Mr Carlisle of counsel for the plaintiff in error and continued by Mr Bradley for the defendant in error & concluded by Mr Carlisle for the plaintiff in error.

Andres Pico. Appt
vs
118 The United States

This cause was argued by Mr Bullitt of counsel for the appellant and by Mr Coles for the appellee.

The Steamer Florida & cargo
Robert W. Simpson, Claim
vs Appt.
The United States

Mr Ashton of Counsel for the Appellee having

274

filed and read in open Court the following Certificate to wit; "In the Circuit Court of the United States, for the Eastern District of Pennsylvania in the third Circuit" The United States of America

vs

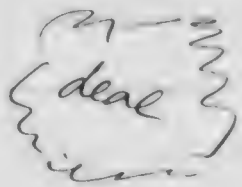
The Steamer Florida, her tackle apparel & furniture, & the goods wares & Merchandise laden on board thereof & Robert W. Simpson Claimant of said Vessel.

In Admiralty
Appeal by
R. W. Simpson. Claim
Nos. 15. & 16
April Session 1862

I, Benjamin Patton Clerk of the Circuit Court of the United States for the Eastern District of Pennsylvania, do hereby certify that on the Eighteenth day of April, Anno Domini, Eighteen hundred and sixty three a decree was entered herein respecting the claim of Robert W. Simpson for the said vessel & condemning

said cause, & that on the said Eighteenth day of April. A.D. 1863. an appeal to the Supreme Court of the United States was duly entered by the said Robert B. Simpson and allowed by the Court.

In testimony Whereof I have hereunto subscribed my name & affixed the seal of the said Circuit Court at Philadelphia this thirteenth day of January & of the Independence of the United States the Eighty ninth.



W. Grier Hibler
pro Clerk C. C. U. S.

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal. Now here moved the Court in pursuance of the 9th Rule of this Court to have this appeal docketed & dismissed

On Consideration Whereof it is now here Ordered adjudged & decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern

District of Pennsylvania be and the same is hereby docketed and dismissed, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law & justice the said appeal notwithstanding.

per Mr Ch: Jus: Chase

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Wednesday 1st February 1865.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	Saml. Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Saml. F. Miller &	
	Stephen J. Field	
Howard A. Lamon Esq		Marshal
Samuel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion of Field made to the Court in this behalf by Charles Sumner Esquire, it is ordered that John A. Rock Esquire, and Francis D. Balch Esquire of Boston, State of Massachusetts, be admitted to practice as Attorneys & Counsellors of this Court & they were sworn accordingly.

On motion duly made to the Court in this behalf by Mr W. W. Cope, it is ordered that William M. Stewart Esq. of Virginia City State of Nevada, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

The Bank Weather Gage &c is Appts The United States

120

The argument of this cause was commenced by Mr Babe of Counsel for the appellants, continued by Mr Ashton of Counsel for the appellee & concluded by Mr Babe for the appellants.

Samuel R. Curtis &c is Appellants William D. Brown

121

Appeal from the Supreme Court of the Territory of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Nebraska, and the appellants having been three times solemnly called by the Marshal to come

into Court & prosecute their appeal, and
failing to appear - it is thereupon on the
motion of Mr Carlisle of counsel for
the appellee, now here ordered, adjudged
and decreed by this Court that this
cause be and the same is hereby dis=
missed with costs.

for Mr Ch: Jus: Chase

The Bark Reindeer &c
vs Appellants
122
The United States

The argument
of this cause
was commenced
by Mr Gillet
of counsel for the appellants.

Proclamation being made the Court is
adjourned until tomorrow morning
at eleven o'clock.

Thursday 2d February 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	Sam. Nelson	
	Robt C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam. F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Courts opened.

On motion first made to the Court in this behalf by Mr E. C. Ingersoll, it is ordered that Robert G. Ingersoll Esquire of Peoria State of Illinois, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton, it is ordered that J. B. Henley Esq of

Chattanoga, State of Tennessee, be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

122 The Back Bounders &c vs The United States

The argument of this cause was continued by Mr. Coffey of counsel for the appellees & concluded by Mr Gillet for the appellants.

123 The United States vs Frederick Billings &c

This cause was argued by Mr Wells of counsel for the appellants & submitted on the printed argument of Mr Gould of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday February 3d 1865.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	Saml. Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Saml. F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Nancee Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that George H. Williams Esq of Portland, State of Oregon, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly

On motion first made to the Court in this behalf by Mr O. H. Browning, it is ordered that W. N. Sutton Esq of

Ogdensburg. State of New York, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

124 The Alliance Insurance Co &c is Appls / The Brig Morning Light — Ordered by the Court that this cause be and the same is hereby postponed for the present.

125 Harriet J. Lee &c is appls / W E. Dodge — Ordered by the Court that this cause be & the same is hereby postponed for the present.

126 The United States is Appls / C. White, Widow & heirs — Ordered by the Court that this cause be & the same is hereby postponed for the present.

127 The Bank Hale &c ___ as Appl / The U. States — Ordered by the Court that this cause be & the same is hereby postponed for the present.

259 D. P. Holloway, Comr of Patents vs Plaintiff in Error
Andrew Whiteley

Motion of Mr Fisher to dismiss set for Friday next.

75 William Freeborn et al vs Plffs in Error
N. Martin & Smith et al

On motion of Mr Cope this cause set for argument for Friday next.

187 Gilbert Woodruff vs Plaintiff in Error
Josiah M. Mann

In Error to the Circuit Court of the U. States for the N. District of Illinois.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr Haines of Counsel for the defendant in Error, and with the consent of Mr Allison of Counsel for the plaintiff in Error. It is now here ordered and adjudged by this Court that this cause

be and the same is hereby dismissed at the costs of the plaintiff in error

per Mr Ch. Jus. Chase

280 The Milwaukee & Minnesota R. R. Co vs Appts / James Y. Soutter

Motion of Mr Carey to dismiss this cause def for argument for Friday next.

128 The Schooner Baigory &c vs Appl / The United States

The argument of this cause was commenced by Mr Gillet of counsel for the appellant, continued by Mr Coffey of counsel for the Appellee & concluded by Mr Reverdy Johnson for the Appellant.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday February 6th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	Sam[l] Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam[l] F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. W. Cary, it is ordered that Harlow St. Orton Esquire, of Washington City, District of Columbia be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

95 William Sheels
is Pff in Er
Lessee of Henry R
Selden, Harmon
Woodruff & Nicholas
E. Paine

In Error to the
Circuit Court
of the United
States for the
District of
Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Swayne.

99 Gustavus Kuller
is Pff in Er
Solomon A. Smith

In Error to the
Circuit Court of
the United States
for the Northern
District of Illinois.

This cause came on to be heard on the

Transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Pr Mr Jus: Miller

Charles G. Miller
vs
James L. Sherry

108

In Error to the Circuit Court of the United States for the N. District of Illinois

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs.

Pr Mr Jus: Swayne

112

The Schooner Ann Caroline her tackle &c John Sedgwick Leonard Church, and Martha Beaston. Claim'ts as Appellants
William H. Wells. Sel.

Appeal from the Circuit Court of the U. States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel - On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be & the same is hereby affirmed, but must be modified as to the damages so as to conform to the views expressed in the Opinion of this Court.

Per Mr Justice Clifford.

111 James W. Badger
is Appt
Daniel B. Badger et al

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be & the same is hereby affirmed with costs.

for Mr Jus: Grier

85 Union B. Chillenden. Walter P. Hatch. Timothy P. Chapman Charles A. Smith. Calvin Day E. N. Owen. Horatio E. Day & George W. Root
vs
A. K. Brewster. D. S. Brewster & John A. Clark

Appeal from the Circuit Court of the U. States for the N. District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel - On consideration whereof it is now here, ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. and it is further ordered that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Mr Justice Nelson

105 William E. Banks
as Receiver
William B. Ogden

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and

was argued by Counsel. On consideration
Whereof it is now here ordered, and adjudged
by this Court that the judgment of the said
Circuit Court in this cause be and the same
is hereby reversed with costs, and that this
cause be and the same is hereby remanded
to the said Circuit Court with directions
to award a venire facias de novo
per Mr Ch: Jus: Chase

The U. States. Appls
vs
360 Seventy two Bales of Cotton
Elizabeth Alexander, Claim.t

Motion of
Attorney Gen.l
to assign cause
for argument
on the 27th inst: filed.

The Alliance Insurance Co.s
vs
124 The Brig "Morning Light" &c
Appls

The argu-
ment of this
cause was
commenced

by Mr Brodhead of Counsel for the appellant &
continued by Mr W. D. Morton for the appellees.

Proclamation being made the Court is adjourned
until tomorrow morning at Eleven oclock.

Tuesday February 7th 1865.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	Sam[l] Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam[l] F. Miller	
	Stephen J. Field	
Ward H. Lamon Esq		Marshal
Marcus Wesley Middleton,		Clerk

Order of Court

Ordered. That the fifth paragraph of the twenty first rule of this Court be amended so as to read as follows. Viz:

Twenty printed copies of the abstract, points, & authorities required by this rule shall be filed with the Clerk by the plaintiff in error or appellant six days, and by the defendant in error or appellee three days, before the case is called for argument.

360 The United States vs Appts Twenty two Bales of Cotton, E. Alexander Claimant.

On consideration of the motion of the Attorney Genl filed in this cause it is now here ordered by the Court that this cause be set for argument on Monday the 20th instant.

361 The Merced Mining Co: vs Appl Biddle Boggs

Motion of counsel for the appellee to dismiss this cause for the want of jurisdiction, filed.

124 The Alliance Insurance Co vs Appts The Brig "Morning Light" &c

The argument of this cause was continued by Mr Morton for the appellees and concluded by Mr Benedict for the appellants.

Tuesday February 7th 1865. Continued

125 Harriet J. Lee et al vs D. E. Dodge et al Appts

The argument of this cause was commenced by Mr Farnsworth of counsel for the appellants & continued by Mr Fuller for the appellees.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Wednesday, February 8. 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase.	Chief Justice
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	Stephen J. Field	
	Ward H. Lamon. Esq.	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

125 Harriet T. Lee & ux vs. W. E. Dodge & ux

This appeals

The arguments of this cause was continued by Mr Fuller for the appellees, and concluded by Mr Farnsworth for the appellants.

The United States
vs Appls
120 Charles White widow & heirs

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, & on the motion of Mr Attorney General Speed of Counsel for the appellants. it is now here ordered adjudged & decreed by this court that this cause be and the same is hereby dismissed.

Tr Mr Ch: Jus: Chase

The Bank Hale & co
vs Appls
127 The United States

This cause was argued by Mr Ashton, Assistant Attorney General for the appellees and submitted to the court on the record by Mr Donohue for the appellant.

130 The United States vs Appts Thomas Pacheco et al

The argument of this cause was commenced by Mr Wells of counsel for the United States and continued by Mr Crane of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven Oclock

Thursday February 9th 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice.
	Saml. Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Saml. F. Miller	Justices
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. H. Gillet, it is ordered that Monroe M. Jones Esq. of Utica, State of New York be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

130 The United States vs Appts Thomas Pacheco & ux

The argument of this cause was concluded by Mr Wells for the Appellants.

Thursday February 9th 1865. Continued

Edwin Haight, claimt &c
vs Appts
132 The United States

Alexander J. Blakely, claimt
vs Appts
133 The United States
and
Fraser Trenholm & Co: claimts
vs Appts
134 The United States

of counsel for the appellees.

The argument of these cases was commenced by Mr W. B. Reed of counsel for the appellants & continued by Mr Coffey

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday February 10th 1865. Continued

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	Saml. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Saml. F. Miller &	
	Stephen J. Field	
Ward H. Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion Leave made to the Court in this behalf by Mr J. R. Doolittle, it is ordered that Charles Ben Darwin Esquire, of Burlington, State of Iowa, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

On motion Leave made to the Court in this behalf by Mr R. H. Gillet, it is ordered that Charles G. Judd Esquire of Plum Tan State of New York be admitted to

practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr John A. Wills, it is ordered that Joseph C. Levi Esquire of New York City State of New York, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

The Mayor & City Council of Baltimore. appts
vs
The Baltimore & Ohio Rail Road Company

cause filed.

Motion of Mr Latrobe to fix day for the argument of this

378

The United States
vs appts
1. The Guadalupe Mining Co:

Motion of Mr Brent to have decree entered in this cause as tendered by the parties, and filed with this motion, filed.

75 William Graham &c
as Pltff in Er
H. Martin Smith et al

The motion to dismiss this cause was argued by Mr Cope in support of the same and opposed by Mr Carlisle of counsel for the plaintiff in error. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

279 The Milwaukee & Minnesota R. R. Co: Appls
vs
James T. Boulter et al

The motion to fix a day for the argument of this cause was argued by Mr Carpenter in support of the same and opposed by Mr Carey of Counsel for the appellees. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Ex parte: In the Matter of Francis Masich & Mariano Spinacco - Petitioners

On the motion of Mr Doliffo it is ordered by the Court, that the petition filed in this case be heard on Friday the 24th instant.

311 William Probst chal vs Appls John Probst

Motion of Mr Brent to dismiss this cause filed.

300 Erastus Sparrow chal vs Plffs in Error Charles L. Strong & al

The argument of the motion to dismiss this cause was commenced by Mr Cope in support of the same, continued by Mr O'Conor in opposition thereto & concluded by Mr Cope in favor of the motion - Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Friday February 18th 1865. Continued.)

	Edwin Haight. Claim't &c	The argu=
132	vs Appts	ment of
	The U. States	these
		Cases
	Alexander Y. Blakeley Claim't &c	was
133	vs Appt	continued
	The U. States	by Mr
		Coffey
	Fraser Trenholm & Co: Claim't &c	for
134	vs	the
	The U. States	appellees

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	Associate
	Robert C. Grier	Justices
	Nathan Clifford	
	Noah H. Swayne	
	Saml. F. Miller	
	Stephen J. Field	
Ward H. Lamon Esquire		Marshal
Maurice Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Peverly Johnson, it is ordered that Wm B. Snell Esquire of Monmouth, State of Maine be admitted to practice as an Attorney & Counsellor of this Court: he was sworn accordingly.

On motion first made to the Court in this behalf by Mr W. W. Cope, it is ordered that John G. McCallum Esq of Placerville State of California & Edwards Woodruff Esq of Niagara Falls, State of New York be admitted to practice as Attorneys and Counsellors of this Court & he was sworn accordingly.

Andres Pico. appl
vs
119 The U. States

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the Transcript of the record from the District Court of the United States for the Northern District of California & was argued by Counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby affirmed.

Per Mr Justice Field.

The Levy Court of Washington County. Plaintiff in Error
vs
117 Thomas Woodward

In Error to the Circuit Court of the United States for the District of Columbia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the U. States for the District of Columbia, & was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the District of Columbia. And that this cause be & the same is hereby remanded to the Supreme Court of the District of Columbia

per Mr Jus: Miller.

Monday February 13th 1865. Continued.)

115 The Heirs of Jose Higuera vs The United States — Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel - On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the District Court in this cause be and the same is hereby affirmed.

per Mr Jus: Clifford

123 The United States vs Frederick Billing James B. Bolton & Henry W. Halleck assignees of Bezar Simmons - Appeal from the District Court of the United States for the N. District of California

This cause came on to be heard on the transcript of the record from the District Court of the United for the Northern District of California and was argued by Counsel On Consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Jr Mr Justice Grier

John Hogan - Plff in Error
vs
114 Daniel D. Page

In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by Counsel. On Consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause, be & the same is hereby reversed with costs. And that this cause be & the same is hereby remanded to the said Supreme Court with directions to award a

Venire facias de novo

per Mr Justice Nelson

76 Charles Derby and Franklin O. Gray vs Plffs in Er. / Christopher M. Gallup — In error to the Supreme Court of Minnesota.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Minnesota and was argued by Counsel. On Consideration whereof it is now here ordered & adjudged by this Court that the writ of error in this cause be & the same is hereby dismissed for the want of jurisdiction.

per Mr Justice Wayne

74 Stephen S. Tobey, Compt & vs appellant / Nehemiah Leonard Horatio Leonard B. Ashley Mo S. Ashley. Henry Spooner J. B. Ashley & Simeon Hawes — Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the U. States for the District of Massachusetts, & was argued by counsel. On consideration whereof it is the judgment of the Court in this cause that the decree of the Circuit Court dismissing the complainants bill should be reversed & annulled; & now making such a decree as the said Court ought to have given, we do order and decree that the defendants Nehemiah & Horatio Leonard, shall convey to the complainant; Stephen A. Tobey, all of the real estate mentioned & described in the deed made by Horatio Leonard to Nehemiah Leonard, a copy of which is annexed, as Exhibit G. to the bill of the complainant; and it is further decreed, that the said Horatio & Nehemiah shall convey to the complainant all of the Rolen farming utensils & carriages conveyed by the bill of sale to Nathan Tobey to Horatio Leonard; & it is further adjudged, & decreed that Rhodolphus Ashley and John S. Ashley, Henry Spooner & Simon Hawes shall join in the conveyance to be made of the real estate by Nehemiah & Horatio Leonard to the complainant & convey such parts of said real estate, a title to which stands in their names

or in the names of either of them, or which may be in the possession of either of them & it is further decreed that the complainant shall pay to Nehemiah Leonard the sum of twenty five hundred Dollars with interest on the same from the date of the notes which were made for the purpose of the Bolek mortgage up to the date when the complainant tendered to the said Nehemiah Leonard that sum, on the 2d day of August, 1860, deducting from the aggregate of principal & interest the sum of Eight hundred & forty dollars which was paid by Simon Hawes to Horatio Leonard for the standing wood on the real Estate, & this Court doth further order & decree that this cause be remanded to the Circuit Court for further proceedings in conformity with the opinion of this Court and its decree, as the same has been recited.

Mr Justice Wayne.

The Schooner Andromeda &c Cargo
Gerald Thomas. Watson James
N. Ashbey, Charles Cullemeo
Charles Cars & Clement Cars
vs Appellants
113 The United States

Appeal from the District Court of the United States for the Southern District of Florida.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Florida & was argued by Counsel On Consideration Whereof it is now here ordered adjudged & decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Pr Mr Ch: Jus: Chase

The United States. Appts
vs
1 The Guadalupe Mining Co

On Consideration the Motion made in this Cause on Friday the 10th instant. It is now here ordered by the Court that the decree, agreed upon by Counsel, be entered as prepared by them.

The United States
vs Appls
The Guadalupe Mining
Company

Appeal from the
District Court
of the United
States for the
N. District of
California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California & the same having been entered on the Calendar of this Court on motion of the Attorney General of the U. States to abide the decision of this Court in the case of Charles Jo Jost vs The United States which was decided at the last term of this Court. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby reversed and that this cause be & the same is hereby remanded to the said District Court with directions to enter in this case the same general decree defining

the external boundaries of the one league of land granted to Justo Sarios, which was was entered by the said District Court by the decree of Oct: 18. 1859. in the case of Charles Fossat -vs- The United States - it being a part of the same decree which was affirmed by the opinion & decree of this Court in said case at its December Term, 1863, and also a special decree in favor of the said Guadalupe Mining Company for the Western one fourth part of the said league of land, lying within the said external boundaries of the general decree - the same being bounded and described as follows - viz: On the East by Western survey line of the three fourths of the said league of land which were surveyed and confirmed by the said decree to the said Charles Fossat: on the South & West by the external boundaries declared by the said decree; and on the North by a closing line to be run for quantity, in conformity to the rules & regulations established by the General Land office for the location & survey

of private land claims in California, & also in conformity to the principles of the opinion of this Court in the said case of Charles Fossat vs The United States delivered at December Term 1863.

Mr Ch: Jus: Chase.

The Milwaukee & Minnesota R. R. Co. appls vs James T. Doolittle & al

279

On consideration of the motion filed in this cause to fix a day for the argument of the same, and upon the arguments thereupon had as well as for as against.

It is now here ordered by the Court that this cause be & the same is hereby set for argument on Monday the 29th instant.

The Mayor & City Council of Baltimore. appls vs The Baltimore & Ohio R. R. Co.

378

On consideration of the motion filed in this cause to fix a day for the argument of the same it is now here ordered by the Court that said motion be & the same is hereby overruled.

Ex parte: In the matter of John Dugan Petitioner

No 6 Orgl

Motion of Mr Bradley for a writ of Habeas Corpus and certiorari filed.

Edwin Haight Claimt &c
vs Appts
132 The U. States

Alexander J. Blakely, Claimt &c
vs Appts
133 The U. States
and
Fraser Trenholm & Co. Claimts &c
vs Appts
134 The U. States

appellants.

The argument of these cases was continued by Mr Coffey of counsel for the appellee & by Mr Wharton for the

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday February 14. 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt C. Grier	
	Nathan Clifford	
	Saml. F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Cooley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. A. Coffey it is ordered that Geo. Fred McLellen Esquire of Washington City District of Columbia be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly

132 Edwin Haight claimt &c
vs Appts
The U States

The argument of these cases was concluded by Mr Wharton for the appellants.

133 Alexander T. Blakely claimt &c
vs
The U. States
and
134 Fraser Trenholm & Co claimt &c
vs
The U. States

66 Robert T. Harvey et al
vs Defts in Error
Edward D. Tyler et al

On the motion of Mr Smith of counsel for the defendant in error, it is now here ordered by the Court that he be allowed one additional hour in the argument of this case

Tuesday February 14th 1865. Continued)

66 Robert T. Harvey etal vs Pltffs in Er
Edward G. Tyler etal

The argument of this cause was commenced by Mr Brown of Counsel for the plaintiff in Error and continued by Mr B. H. Smith of Counsel for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oclock

Wednesday February 15th 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam'l. Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Sam'l. F. Miller	Justices
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

Robert J. Harvey ehal vs Pltff in Error
Edward G. Tyler ehal

66

The argument of this cause was continued by Mr B. H. Smith Esq of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday February 16th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase.	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Saml. F. Miller	
	Stephen J. Field.	
Ward H. Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Mall: H. Carpenter it is ordered that Enoch Totten Esq of Milwaukee, State of Wisconsin be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion leave made to the Court in this behalf by Mr Frederick Billings it is ordered that Coles Morris Esquire of New York City be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

Robert T. Harvey etal
vs Pltffs in Error
66 Edward G. Tyler et al

The argument of this cause was concluded by Mr Baron of counsel for the plaintiffs in error.

The United States
vs Appts
135 John A. Sutter

The argument of this cause was commenced by Mr Weil of counsel for the appellants.

(Mr Justice Field did not sit in this cause)

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Friday February 17th 1865.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Saml. F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Courts opened

On motion first made to the Court in this behalf by Mr R. M. Corwine it is ordered that William M. Springer Esq of Springfield State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr M. H. Carpenter it is ordered that George W. Larkin Esq of Milwaukee

State of Wisconsin be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chief Justice announced to the Bar that the Court would not hear the argument of any case after the third day of March next.

The Milwaukee & Minnesota R. R. Co: vs appellants
280 James T. Soutter et al

The motion of Mr Cary to dismiss this cause was argued by him in support of the same & by Mr Carpenter in opposition to the motion.

Ex parte: The Milwaukee & Minnesota R. R. Co Petitioners
5 Orig

The motion for a mandamus in this case was argued by Mr Carpenter in support of the same & by Mr Cary in opposition thereto.

Ex parte: Alexander Fleming
3 Orgl in the matter of James J. Sutter
vs. the Survivors &c. Petitioners

This cause was submitted to the Court on the record & printed brief by Mr Carpenter of Counsel for the petitioners.

The United States
vs Appls
135 John A. Sutter

The argument of this cause was continued by Mr Wells of Counsel for the Appellants.

(Mr Justice Field did not sit in this cause)

Proclamation being made the Court is adjourned until Monday Morning at eleven o'clock.

Monday February 20th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	Stephen J. Field	
	Ward H Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. W. Cary, it is ordered that O. H. Waldo Esquire of Milwaukee, State of Wisconsin be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Monday February 20th 1865. Continued

130 The United States vs Appts Tomas Pacheco et al — Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof It is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby affirmed.

Per Mr Jus: Field.

125 Harriet T. Lee Lewis H. Lee and George L. Lee vs Appellants William E. Dodge, Daniel James, James Hokes, D. Wells James & William E. Dodge Jr. — Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois & was argued by Counsel - On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs - And that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree dismissing the complainants bill

for Mr Justice Miller

118 John B. Murray & John W. Brown vs Richard P. Gardner

In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript & the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel - On consideration whereof it is now here

ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be & the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Jr Mr Jus: Swayne

The Alliance Insurance Company. The Triton Insurance Company. & The Neptune Insurance Company.

vs Libl & Appls

124 The Brig "Morning Light" her tackle & appare. William H. Smith ch ac claimt & Eldridge Huff

of New York

Appeal from the Circuit Court of the United States for the Southern District

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York

& was argued by Counsel. On Consideration Whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

Mr Justice Clifford

50 ex parte: The Milwaukee & Minnesota Rail Road Co Petitioners

On Consideration of the motion for a Mandamus in this

cause and of the arguments of Counsel thereupon had as well in support of as against said motion. It is now here ordered by the Court that said motion be & the same is hereby overruled.

280 The Milwaukee & Minnesota Rail Road Company vs Appts James T. Soutter dec'd

On Consideration of the motion filed by Mr Carey to dismiss this cause &

of the arguments of Counsel thereupon had as well in support of as against the same. It is now here ordered by the

Court that said motion be & the same is hereby overruled.

135 The United States vs Appls John A. Sutter

The argument of this cause was continued by Mr Elihu Johnson of counsel for R. Gelston, Intervenor, and by Mr Woodruff of counsel for the appellee.

(Mr Justice Field did not sit in this cause)

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday February 21st 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Sam[l] F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq.	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

The United States
135 vs appts
John A. Sutter

The argument of this cause was continued by Mr Woodruff for the appellee, by Amos Platt for self as Intervenor & by Mr Black for Intervenors.

(Mr Jus: Field did not sit in the argument of this cause)

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday February 22d 1865.

Pursuant to adjournment the Court met this morning at the Capitol

Present-

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Sam[l] F. Miller	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr W. C. Cope, it is ordered that William A. Cook and A. Chester Esquires of Washington City, District of Columbia, be admitted to practice as attorneys and counsellors of this Court & they were sworn accordingly.

132	The United States vs Appls Sonora de Haro et al	On motion of Mr Cope leave was granted him to file motion for leave to enter the appearance in this case for Harmon Wohler & others, not parties to the record but materially interested in the final result of the case.
135	The United States vs Appls John A. Sutter	The argument of this cause was continued by Mr Black of Counsel for intervenors, and concluded by Mr Wells of Counsel for the Appellants.
360	The U. States. Appls vs Seventy two Bales of Cotton - E. Alexander Claimant -	The argument of this cause was commenced by Mr Ashton assist- ant Attorney Genl. of Counsel for the Appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 23d 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	ch: Justice
	James M. Wayne	
	Saml. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Saml. F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr J. J. Coffey it is ordered that Edwin H. Abbot Esquire of Boston, State of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

145 William F. Havemeyer vs Petty The Board of Supervisors of the County of Iowa

On motion of Mr Ryan leave was granted him to file motion in this cause

360 The U. States. appts vs Seventy two Bales of Wm. E. Alexander. Claimant.

The argument of this cause was continued by Mr Ashton, Assistant Attorney General of counsel for the appellants and by Mr Corwine and Mr Springer of counsel for the appellees

Proclamation being made the Court is adjourned until to morrow morning at Eleven o'clock

Friday February 24. 1865.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Thomas Ewing it is ordered that Theodore A. Hurd Esq of Leavenworth State of Kansas be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr R. M. Corwine it is ordered that J Nelle-

land Esquire of Rogersville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

No 158. D. T. 1853-

Dr Lorna Brooks
his Appt
Yarick Martin

The argument of the motion to reform & modify the decree of this Court entered in this cause, was commenced by Mr Ewing in support of the same. Continued by Mr Carpenter in opposition thereto & concluded by Mr Lathrobe in support of the motion.

152

The U. States
his Appts
Joseph de Haro et al

Mr Cope presented his motion & asked leave to appear & argue this cause on behalf of parties interested in the cause but not named in the record. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises doth time to consider

Friday February 24th 1865. Continued

Ex parte: In the matter of Francis Masich and Marcus Spiracio. Petitioners

The motion for a rule on the Judge of the District Court of the United States for the Eastern District of Louisiana was argued by Mr Dolliffe in support of the motion.

409

The Milwaukee & Minnesota Rail Road Company vs Appts Silas Chamberlain

Mr Carey with the assent of Mr Carpenter moved the Court to have this cause assigned for argument immediately after the argument of Nos 279 & 280. Whereupon this Court not being sufficiently advised of & concerning what order to take in the premises took time to consider.

245

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

Monday February 27th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam'l Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam'l F. Miller	
	Stephen J. Field	
Ward	H. Lamon Esq	Marshal
Daniel	Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr John A. Collier, it is ordered that R. King Cullen Esquire, of New Orleans, State of Louisiana be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Browning it is ordered that S. M. Cullom Esq of Springfield, State of Illinois be admitted to

practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr E. G. Ryan it is ordered that John P. McGregor, Esquire of Milwaukee State of Wisconsin, be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. M. Carlisle, it is ordered that F. M. Smith & John S. Berry Esqrs of Oroville, State of California, and W. B. McDougall Esquire of Nashville State of Tennessee, be admitted to practice as Attorneys & Counsellors of this Court and they were sworn accordingly.

93 The Providence Tool Co: vs Jeff in Error Samuel Norris

In Error to the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by Counsel - On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby reversed with costs, and that this cause be & the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr Justice Field.

66 Robert T. Harvey et al vs Pltffs in Er. Edward Griswold Tyler Henry J. Whitehouse and Eveline his Wife - Herman Bruen - Alexander M. Bruen and William Pennington — In Error to the District Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Virginia & was argued by Counsel - On consideration whereof it is now here ordered & adjudged by this Court that the

judgment of the said District Court in this cause be & the same is hereby affirmed with costs.

Pr Mr Jus: Miller.

The United States & Joseph E. De Haven, Commander of the Ship of War Calhoun & others Captors & libts

vs Appts

David G. Cooke, Claimant of the Schooner Venice, her tackle, apparel, furniture and cargo.

Appeal from the District Court of the United States for the Southern District of Florida

91

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Florida & was argued by Counsel — On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed

Pr Mr Ch: Jus: Chase.

96 Frederick W. Coleman is Appt The Hudson River Bridge Co: at Albany

Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be & the same is hereby affirmed with costs.

By a divided Court.

143 John Paag. William G. Farmer & Newell Chamberlin is Libellants & Appts The Steamboat Mc Donald her tackle &c. The Albany & Canal Line Towboat Co: Claimants.

Appeal from the Circuit Court of the U. States for the S. District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the motion of Mr Billings in behalf of Counsel. it is now here ordered, adjudged & decreed by this Court that this cause be and the same is hereby dismissed each party paying his own costs as per Stipulation filed.

Per Mr Ch: Jus: Chase

Josiah A. Noonan Etal
vs Appellants
307 Albert Fowler

Appeal from the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin & on the motion of Mr Carpenter of Counsel for the Appellant - it is now here ordered adjudged & decreed by this Court that

this cause be and the same is hereby dismissed each party paying his own costs as per stipulation filed.

Jr M Ch: Jus: Chase

No 158. of Dec Term 1863

Ide Lorma Brooks
vs Appt
Warrick Martin

On consideration of the motion filed in this cause to reform & modify the decree entered at December Term 1863. and of the arguments thereupon had as well in support of as against the same. It is now here ordered by the Court that said motion be & the same is hereby overruled.

1245

William F. Havemeyer
vs Deft
The Board of Supervisors of the County of Iowa

On consideration of the motion filed by Mr Ryon in this cause on the 23d instant. It is now here ordered by the Court that said motion be & the same is hereby overruled.

The Milwaukee & Minnesota Rail Road Co:
vs Appts
245 Selah Chamberlain

On Consideration of the motion filed in this cause on the 24th instant by Mr Cary. It is now here ordered by the Court that said motion be & the same is hereby overruled.

The United States
vs Appts
152 Joseph de Narvaez

On Consideration of the motion filed in this cause on the 24th instant by Mr Cope for leave to Enter his appearance in this cause. And of the motion filed same day by Mr Bradley to fix a day for the argument of this cause. It is now here ordered by the Court that said motions be and the same are hereby overruled.

No 6. Original — Ex parte: In the Matter of John Dugan Petetioner

No 7. Original — Ex parte: In the Matter of Christopher C. Hogan Petitioner

Upon consideration of the petitions filed in these cases, by Mr Bradley of Counsel for the petitioners, for writs of Certiorari to the Judges of the Supreme Court of the District of Columbia. It is now here ordered by the Court that said writs of Certiorari be & the same are hereby granted returnable forthwith.

300 The United States vs Appt Seventy two Bales of Cotton, Elizabeth Alexander. Claimant.

The argument of this cause was Continued by Mr Springer for the Appellee and Concluded by Mr Eames of Counsel for the Captors.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday February 28th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Saml. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Samel F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by Mr J. M. Carlisle it is ordered that Myron A. Decker Esquire, of Washington City, District of Columbia be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

The Minnesota & Milwaukee Rail Road Company. vs Appls
279 James T. Souther & al

The argument of this cause was commenced by Mr Carpenter of Counsel for the appellants and continued by Mr Carey of Counsel for the appellees.

The United States vs Appls
130 Cayetano Suarez

On motion of Mr Crane of Counsel for the appellees and with the consent of Mr Attorney General Speed, it is ordered by the Court that the Clerk may issue the Mandate in this cause during the present term of this Court.

Proclamation being made the Court is adjourned until tomorrow morning 11 o'clock.

Wednesday March 1st 1865.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase	Chief Justice
James M. Wayne	
Saml. Nelson	
Robert C. Grier	Associate
Nathan Clifford	Justices
Saml. F. Miller	
Stephen J. Field	
Ward H. Lamon Esq	Marshal
James Wesley Middleton	Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr J. M. Howard it is ordered that A. T. McReynolds Esquire of Grand Rapids, State of Michigan, be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Francis Kernan, it is ordered that Othniel T. Atwood Esq of

Carthage & Leonard C. Kilham Esquire of Oneida, State of New York, be admitted to practice as Attorneys & Counsellors of this Court & they were sworn accordingly

On motion duly made to the Court in their behalf by Mr Reverdy Johnson, it is ordered that John L. Miner Esquire of Cincinnati State of Ohio, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

279 The Milwaukee & Minnesota Rail Road Co: vs appts James T. Soutter & ae

The argument of this cause was continued by Mr Cary & Mr Carlisle for the appellees and concluded by Mr Carpenter of Counsel for the appellant.

The Milwaukie & Minnesota Rail Road Company
vs Appt
280 James F. Soutter et al

The argument of this cause was commenced by Mr Carpenter of Counsel for the appellant & continued by Mr Cary of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oclock.

Thursday March 2. 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Saml. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Saml. F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Dolliffe it is ordered that John Hutchins Esquire of New Orleans State of Louisiana, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

The Milwaukee & Minnesota R. R. Co: Appts
vs
280 James F. Souther et al

The argument of this cause was concluded by Mr Carpenter of Counsel for the appellants.

William Freeborn et al plffs in Error
vs
75 H. Martin Smith et al

This cause was Submitted to the Consideration of the Court on the record & printed Arguments by Mr Carlisle of Counsel for the plaintiffs in error and by Mr Cope of Counsel for the defendant in error on the merits.

William Freeborn et al plffs in Er
vs
75 H. Martin Smith et al

The argument of this cause on the question of jurisdiction was commenced by Mr O'Conor of Counsel for the plaintiff in error, continued by Mr Cope of Counsel for the defendant in Error & concluded by Mr O'Conor for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrows morning at Eleven o'clock.

Friday March 3d 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Saml. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Samel. F. Miller &	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Courts opened

On motion first made to the Court in this behalf by the Attorney General Speed it is ordered that Joseph Segar Esquire, of Fortress Monroe, State of Virginia be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr C. A. White, it is ordered that Thomas J. Taylor Esquire of Georgetown State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly

On motion first made to the Court in this behalf by Mr Beverly Johnson, it is ordered that John Baker Esquire of New York City, be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. Hubley Ashton, it is ordered that John A. Clark Esquire of Philadelphia State of Pennsylvania be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. T. Brady it is ordered that George W. Stevens Esq of New York City, & J. W. Longyear Esquire of Lansing State of Michigan be admitted to practice as Attorneys and

Counsellors of this Court & the were sworn accordingly.

On motion first made to the Court in this behalf by Mr W. M. Evarts it is ordered that Charles A. Spencer Esquire of New York City, be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. M. Carlisle it is ordered that A. J. Stetrick Esquire of Washington City. District of Columbia & W. H. Clifford Esquire of Portland, State of Maine, be admitted to practice as Attorneys & Counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Beverly Johnson, it is ordered that W. C. Kingsley Esq. of Elmira, & Allen Thain Esq. of New York City, be admitted to practice as Attorneys & Counsellors of this Court & they were sworn accordingly.

No 6. Orig^{a} Ex parte: In the Matter of John Dugan. Petitioner
and
No 7. Orig^{a} Ex parte: In the Matter of Christopher C. Hogan Petitioner

Ordered by the Court that these cases be and the same are hereby continued to the next term of this Court.

384 The United States vs Appt
A Lot or cargo of Wheat.

Mr Brent of Counsel for the appellee having filed & read in open Court the following certificate, to wit:

"The United States of America
District of Maryland, to wit
In the District Court
The United States vs A Lot or Cargo of Wheat

June Term 1863
Information filed 31st July 1862. August 29. 1862 claim filed, Answer filed Jury sworn. Jury withdrawn by consent & continued by order of Court. October 15th 1862. agreement filed. Warrant of

appraisement issued Octo: 16. 1862 - appraisers return filed Octo: 24. 1862. Petition filed. Agreement filed 2d Warrant of appraisement issue. Appraisers return filed Nov 10/62 Stipulation filed - Dec: 19. Deposition filed March 12. 1863. Con'd under rule - peremptory trial at June Term 1863. June 9. 1863 Jury sworn, June 10th 1863 Verdict for the claimants -

Writ of Error prodeced by District Attorney

I Hereby certify that the above is a true copy of the Docket entries of the above case taken & made from the Record of proceedings of the said District Court.

In testimony Whereof I have hereunto subscribed my name & affixed the seal of the said District Court this second day of March A.D. 1865

Seal

James W. Chew. Clk
District Court.

(Docket entries of the above case after the same was brought into the Circuit Court upon Writ of Error)

The United States of America
District of Maryland, to wit:

In the Circuit Court	April Term 1864
The United States	Writ of Error from
vs	the District Court
A Lot or cargo of Wheat	Record filed.

July 28. 1864
Judgment of the District Court affirmed
Opinion & Order filed.
Appeal prayed by the District Attorney
August 12th 1864.

I hereby certify that the aforegoing is a true copy of the Docket-entries of the above case taken & made from the Record of proceedings of the said Circuit Court

In testimony Whereof I have hereunto subscribed my name and affixed the Seal of the said Circuit Court this second day of March A.D. 1865.

Seal

James W. Chew clk
Circuit Court

The United States of America
District of Maryland, to wit:

I. James Lo. Chew Clerk of the Circuit Court of the United States for the fourth Circuit in & for the Maryland District do hereby certify that on the aforegoing case of the United States against A Lot or cargo of Wheat, an appeal was entered by the District Attorney of the United States for the Maryland District, on the 18th day of August 1864 from the Judgment of the Circuit Court, affirming the Judgment of the District Court.

In testimony whereof I have hereto subscribed my name & affixed the Seal of the said Circuit Court this second day of March A.D. 1865

Seal

James Lo. Chew. Clerk
Circuit Court "

And having stated that the appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal. Now have moved the Court in pursuance of the

9th rule of this Court to have this appeal docketed & dismissed. On consideration Whereof it is now here ordered adjudged & decreed by this Court that this appeal from the Circuit Court of the United States for the District of Maryland be and the same is hereby docketed & dismissed, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law & justice the said appeal notwithstanding

per Mr Ch: Jus: Chase

300 Marcus Sparrow Plff in Error vs Charles L. Strong & al

The motion to dismiss this case was argued by Mr Browning in support of the same and by Mr Cope in opposition thereto.

270 Willis Hunniston vs Appt / John Hainthrop & al

The argument of the motion to dismiss this cause was

Commenced by Mr D. H. Bradley in support of the same - Continued by Mr Norton in opposition thereto and Concluded by Mr Bradley in favor of the motion.

Proclamation being made the Court is adjourned until Wednesday next at Eleven o'clock.

Wednesday March 8th 1865.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Saml. Nelson	
	Robert L. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	Stephen J. Field	
Ward. H. Lamon Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr R. H. Gillet, it is ordered that Sherman S. Rogers Esquire of Buffalo State of New York be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr O. H. Browning it is ordered

that William Cothren Esquire of Woodbury State of Connecticut. James M. Gilet Esquire of Fond-du-lac. State of Wisconsin, and James P. Root Esquire of Chicago, State of Illinois, be admitted to practice as Attorneys & Counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in their behalf by Mr Attorney General Speed, it is ordered that Joseph B. Clarke Esq of Washington City District of Columbia and H. H. Emmons Esquire of Detroit State of Michigan, be admitted to practice as Attorneys & Counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in their behalf by Mr R. M. Corwine, it is ordered that Gustavus E. Matile Esquire of New York City be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr John A. Wolles, it is ordered that John A. Goodlett Esquire of New York City, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

The United States vs John A. Sutter — Appeals from the District Court of the U. States for the Northern District of California.

185

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California & was argued by Counsel. On Consideration Whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause confirming the survey & location of the Eleven Square Leagues to Sutter approved by the Surveyor General May 11. 1863 and filed in

Court the same day as recited in the said decree & marked approved May 11. 1863 Ogden Hoffman Dist Judge, be reversed & set aside: And that the survey and location of the grant of A. W. Von Schmidt U. S. Deputy Surveyor, approved by the Surveyor General J. W. Mandeville February 18. 1860. and a certified copy filed in the District Court 27th of the same month be substituted in its stead: And that this cause be and the same is hereby remanded to the said District Court with directions to confirm this survey as the location of the said grant.

Pr. Mr Justice Nelson.

Amos Pratt. Intervenor in the case of the United States

vs Appt

John A. Sutter

196

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California & was argued by Counsel - On consideration Whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause confirming the Survey & location of the Eleven square leagues to Sutter approved by the Surveyor General May 11. 1863 and filed in Court the same day as recited in the said decree & marked approved May 11. 1863. Ogden Hoffman Dist Judge, be reversed & set aside: And that the Survey & location of the grant of A. W. Von Schmidt U S. Deputy Surveyor approved by the Surveyor General J. W. Mandeville. February 18th 1860, and a certified copy filed in the District Court 27th of the same month be substituted in its stead: and that this cause be and the same is hereby remanded to the said District Court with directions to confirm this Survey as the lo=

cation of the said grant.

for Mr Justice Nelson

Roland Gelston, Intervenor in the case of The United States.

vs Appts

John A. Sutter

Appeal from the District Court of the United States for the Northern District of California.

319

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California & was argued by counsel.

On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause confirming the survey & location of the eleven square leagues to Sutter approved by the Surveyor General May 11. 1863. and filed in Court the same day as recited in the said decree and marked approved May 11. 1863 Ogden Hoffman. Dist Judge, be reversed

an set aside: And that the survey and location of the grant of A. Yo. Von Schmidt U S. Deputy Surveyor approved by the Surveyor General J. W. Maunderville February 18. 1860, and a certified copy filed in the District Court 24th of the same month be substituted in its stead and that this cause be and the same is hereby remanded to the said District Court with directions to confirm this survey as the location of the said grant

per Mr Justice Nelson

The Schooner Baigorry & Cargo Bernard Renaud Claim't & as appellant The United States

Appeal from the District Court of the United

128 States for the Southern District of Florida

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Florida & was argued by Counsel. On consideration whereof

it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby affirmed.

for Mr Ch: Jus: Chase

John G. Phelps, George Bliss Charles G. Landon, George A. Weeks & Spencer W. Coe his Appellants

1140

Jonas G. Johnson Ambrose I. Lee. Isaac Hayes and Franklin Priest.

Appeal from the District Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the District of the United States for the Southern District of Illinois & on the motion of Mr Browning in behalf of Counsel. It is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed per stipulation filed.

Wednesday March 8th 1865 Continued

pr Mr Ch: Jus: Chase

No 4. Orig.l

In parte: In the matter of Francis Marcich & Mariano Ispinacio Petitioners

This Court not being now here sufficiently advised of & concerning what order to render this cause, it is now here ordered that it be held under advisement and that the same be & hereby is continued until the next term

132 Edwin Haight vs The U. States

133 Alexander T. Blakely vs The United States

134 Fraser, Trenholm & Co vs The United States

This Court not being now here sufficiently advised of & concerning what decrees to render in these causes, it is now here ordered that they be held under advisement & that the same be & hereby are continued until the next term.

Proclamation being made the Court is adjourned until Friday next at two o'clock P.M.

Friday March 10th 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M Wayne	
	Sam'l Nelson	
	Robert C. Grier	
	Nathan Clifford	associate
	Noah H. Swayne	Justices
	Sam'l F. Miller	
	Stephen J. Field	
	Ward H. Lamon Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon O. H. Browning it is ordered that N. P. Chipman Esq of St Louis, State of Missouri and N. Dana Wells Esquire of New York City be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion of it is made to the Court in this behalf by Mr. Wm. M. Springer, it is ordered that George S. Thompson Esquire of Springfield, State of Illinois be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

Orders of Court

Amendment to 2d Rule

Ordered. That the last clause of the second rule of this Court be amended so as to read as follows.

"They shall respectively take & subscribe the following oath or affirmation.

I , do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto: that I have neither sought nor accepted nor attempted to exercise the functions

of any office whatever, under any authority, or pretended authority, in hostility to the United States: that I have not yielded a voluntary support to any pretended government, authority power, or constitution within the United States, hostile or inimical thereto. And I do further swear (or affirm) that to the best of my knowledge & ability, I will support & defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith & allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion.

And I do further solemnly swear (or affirm) as the case may be) that I will demean myself as an attorney & counsellor of this Court uprightly & according to law. So help me God.

Order of Court

Ordered - That all persons who have

heretofore been admitted as attorneys & counsellors of this Court may take and subscribe the oath or affirmation prescribed by second rule as amended before the Clerk of this Court, or of any Circuit or District Court of the United States.

Amendment to 9th Rule

Ordered. That the third paragraph of the ninth rule of this Court be amended so as to read as follows:

In all cases where the period of thirty days is mentioned in this rule it shall be extended to sixty days in writs of error & appeals from California. Oregon, Nevada. Washington, New Mexico and Utah.

Amendment to 20th Rule

Ordered. That the first paragraph of the twentieth rule of this Court be amended so as to read as follows:

In all cases brought here on appeal, writ of error or otherwise, the Court

will receive printed arguments without regard to the number of the case on the docket if the counsel on both sides shall choose so to submit the same within the first thirty days of the term: but twenty copies of the arguments, signed by attorneys or counsellors of this Court, must be first filed; ten of these copies for the Court, two for the Reporter, three to be retained by the Clerk, and the residue for counsel.

No 3. Orgl

Ex parte: Alexander Fleming in the matter of Doulter & the Survivors &c

On consideration of the motion of Mr Carpenter for a mandamus in this cause and of the arguments of counsel thereupon had. It is now here ordered by the Court that said motion be & the same is hereby overruled.

Per Mr Jus: Miller

279 The Milwaukee & Minnesota Rail road Company as appts
James T. Soulter and Shepherd Knapp. Survivors of Greene & Brouson. dec'd

Appeal from the Circuit Court of the U. States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by Counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the order sustaining the demurrer to the complainants bill and the decree of the said Circuit Court in this cause dismissing the bill be, & the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

pr Mr Jus: Miller

Dissenting

Mr Jas: Nelson
Mr Jas: Clifford
Mr Jas: Field.)

The Milwaukee & Minnesota Rail Road Company and A. Fleming appts vs James T. Soutter, Survivor of Grace C. Bronson, decease appellee

380

for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin & was argued by Counsel On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause ascertaining the amount due to complainants & fixing a time for the payment thereof and for a sale on failure of payment be & the same is hereby affirmed. And that the order

order of the Court dismissing the application for the discharge of the receiver and possession of the road and its appurtenances be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with instructions to ascertain the amount due to complainants within some reasonable time to be fixed by said Court, and to make an order that on the payment of that sum, with the costs of complainants, into Court within said time, the receiver shall be discharged, and the Railroad from Milwaukee to Portage City with all the appurtenances, rolling stock and other property real and personal belonging to said division of road be delivered by said receiver, to the Milwaukee & Minnesota Rail Road Company: but that no such discharge of the receiver or delivery of the road and its appurtenances shall be made until said company

shall first enter into bond with sufficient surety, to pay Sebre Howard, and Delah Chamberlain, all such sums as may come into the hands of said Company, which shall hereafter be found to be rightfully applicable to the payment of their claims, if they shall be established as liens on said bond.

for Mr Jus: Miller

116 The Bark Sarah, her tackle appurel & cargo &c Joshua Couillard - Claimant vs Appellant
The United States

appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York & was argued by Counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree

of the said Circuit Court in this cause be and the same is hereby affirmed.)
per Mr Jus: Clifford

The Bark Wealthy Gage her tackle, Apparel & cargo - John Morris. Claimant &c is Appellant
120 vs
The United States

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York & was argued by Counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.
per Mr Jus: Clifford

The Bark Reindeer her Cargo &c David M. Coggeshall, James E. Ward. Saml Shephard & Henry P. Booth. Claimts	Appeal from the Circuit Court of the United States for the District of Rhode Island.
122 &c appts The United States	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island. and was argued by Counsel On consideration Whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be & the same is hereby affirmed.

Pr Mr Jus: Clifford.

William Freeborn and Mark Sheldon &c Plffs in Error	In error to the Supreme Court of the Territory of Nevada
76 A. Martin Smith and Richard C. Day.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Nevada & was argued by Counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs, and that this cause be and the same is hereby remanded to the Supreme Court of the State of Nevada.

for Wm Cus: Grier

Willis Nimmiston
276 is appts
John Blanchard &
Stephen Degraw

Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York & was

argued by Counsel. On Consideration Whereof it is now here ordered, adjudged & decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr Jus: Nelson

William Brobst. James Russell, William Elliott Benjamin G. Peters and Richard Fox vs Appts Wm Brobst

311

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, & on Consideration of the Motion filed by Mr Brent on the 10th February. ultimo, to dismiss this cause - It is now here ordered by the Court that this cause do stand dismissed with costs, unless the appellants shall within sixty days from

notice of it file with the Clerk a bond with good and sufficient security in due form of law, to prosecute their appeal with effect, and to answer all damages and costs, if they fail to make their plea good, said bond to be approved by the proper Officer.

Pr Mr Jus: Nelson.

The United States vs Appts Barbara Otto et al — Appeal from the District Court of the United States for the Northern District of California.

153

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California. and on the motion of Mr Attorney General & Speed of Counsel for the appellants. it is now here ordered adjudged & decreed by this Court that this cause be and the same is hereby dismissed

Pr Mr Ch: Jus: Chase

David Gordon and Susan E. Gordon. admrs of George Fisher. decd		Appeal from the Court of Claims.
160	is appts	
The United States		

This cause came on to be heard on the transcript of the record from the Court of Claims & was argued by Counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch: Jus: Chase

Dissenting
Mr Jus: Miller
" " Field

The United States		Appeal from the Circuit Court of the United States for the Northern District
209	is Appts	
The Heirs of J. G. Pena deceased et al		

of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and on the motion of Mr Attorney General Speed of Counsel for the appellants. It is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed.

Pr McCh: Jus: Chase

300 Erastus Sparrow et al vs Peffer & Charles L. Strong et al

The motion to dismiss the writ of error in this case will stand over until the first motion day of next term, in order that counsel may be heard on the question whether the judgment of the Supreme Court of the Territory of Nevada be a final judgment to review which a writ of error will lie.

The United States
300 vs Appl
Seventy two Bales of
Cotton. E. Alexander
Claimant.

Appeal from
the District
Court of the
United States
for the
Southern
District of Illinois.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Illinois & was argued by Counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby Reversed - and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the libel

pr Mr Ch: Jus: Chase

386 The United States
is appt
Mathew Keller
substituted for
Leon O. Prudhomme

Appeal from
the District
Court of the
United
States for
the Southern

District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California. And on the motion of Mr Attorney General Speed of Counsel for the appellants. It is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed.

Pr Mr Ch: Jus: Chase

387 The United States is Appl vs H. D. McCobb } Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California & on the motion of Mr Attorney General Speed of Counsel for the appellants & with the consent of Mr Hartman of Counsel for the appellee it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be & the same is affirmed, on the payment of costs in this Court by the appellee; but that on entering the decree herein the quantity of land to be surveyed within the exterior limits of the grant, as defined by decree of the Land Board, in the case be restricted to one square league of land and no more.

Mr Ch: Jus: Chase

Proclamation being made the Court is adjourned to the time and place appointed by Law.

At the Capitol of the United States in the City of Washington and District of Columbia, being the present seat of the National Government of the United States on the first Monday of December (being the fourth day of the same month) in the year of our Lord one thousand eight hundred and sixty five, and of the Independence of the United States the ninetieth, the Supreme Court of the United States met agreeably to law.

Present

The Hon	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David J. Gooding Esq.		Marshal
Daniel Wesley Middleton,		Clerk

Monday December 4th 1865

Proclamation being made the Court is opened.

Mr Chief Justice Chase, announced to the Bar that the Court would commence the call of the docket tomorrow, beginning with cause number sixty seven.

On motion first made to the Court in this behalf by Mr Attorney General Speed, it is ordered that C. D. Pennebaker Esquire of Louisville, State of Kentucky and A. G. Riddle Esquire of Washington City D. C. be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr E. C. Cope it is ordered that Horace W. Carpentier Esquire of Oakland, State of California, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Jeremiah S. Black, it is ordered that Delos Lake Esquire, of San Francisco, State of California, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James M. Gurlick it is ordered that Ward H Lamon Esq. of Bloomington, State of Illinois, and Orville Jennings Esquire of Little Rock, State of Arkansas, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Cushing it is ordered that Chester I. Reed Esq of Taunton, and E. F. Stone Esq of Newburyport, State of Massachusetts be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

Monday December 4th 1865 Continued

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Tuesday December 5th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam'l Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam'l F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esq		Marshal
Daniel Wesley Middleton.		Clerk

Proclamation being made the Court is opened

On the opening of the Court this morning Mr Speed Attorney General of the United States, made the following remarks.

"May it please your Honors; My Brethren of the Bar have devolved upon me the duty of

presenting to the Court the resolutions I have the honor to submit.

My brethren have endeavored to express in these resolutions, the profound respect they feel for your lamented Associate, the late Justice Catron.

Mr Justice Catron presided in the Circuit Court for the District in which I practiced. I knew him, as a Judge from my earliest years, My acquaintance continually enhanced the respect and admiration, which which from the very first, I regarded him.

With the advantage of only limited educational training he rose easily and pleasantly to the high position he illustrated. Possessing a vigorous mind, diligent habits, earnest and honest purposes, and simple unaffected manners, his life was one of dignity and usefulness.

His loyalty, not the result of location, association, policy or sentimentality, but of simple native integrity, allied to native good sense and firmness, was a theme

anchor to the States of Tennessee and Kentucky.

The memory of such a character and such a life, go far to soften the sorrow we feel for the loss the Country has sustained.

The grave has closed over his mortal remains, but I am sure it can not shut out from your chamber, so long the scene of his labors, the purest memory of his character, as it can not deprive his country of the good he did, or mankind of his bright example

I now present to your Honors these, resolutions, which after they shall have been read, I respectfully move may be entered on the minutes of your proceedings."

Resolutions

"At a meeting of the members of the Bar of the Supreme Court of the United States, and of the Officers of the Court, held at the Court Room

in the Capitol, on the 4th day of December 1865.

The Hon: Jeremiah S. Black was called to the chair, & Hubley Ashton Esq Assistant Attorney General appointed Secretary.

On Motion of Hon: Caleb Cushing a committee was appointed by the Chair, to prepare and submit appropriate resolutions Expressive of the Sentiments and feelings of the members of the Bar, and officers of the Supreme Court of the United States, on the melancholy event of the recent death of Hon: John Catron, late an associate Justice of the Supreme Court.

The Committee consisted of Hon: Caleb Cushing of Massachusetts: Hon: O. H. Browning. of Illinois and Hon: Montgomery Blair of Maryland.

The following resolutions were submitted to the meeting by the Hon: Caleb Cushing, chairman of the

committee. and unanimously adopted.

"Resolved; That the Members of this Bar, and the Officers of the Court, sincerely lament the death of the Hon: John Catron, late an associate Justice of the Supreme Court, and Express the high consideration they entertain of the integrity, dignity, impartiality, love of Justice and strong common sense, which marked his character as a Judge, and as a man.

Resolved; That in manifestation of these sentiments, we will wear the usual badge of mourning during the term.

Resolved; That the chairman and Secretary of this meeting transmit a copy of these proceedings to the family of the deceased, and assure them of our sympathy and respect.

Resolved; That the Attorney General be requested to present these proceedings to the Court, and

to move that they be entered on its minutes.

J. S. Black
Chairman

J. Hubley Ashton
Secretary."

To which Mr Chief Justice Chase, made the following reply.

"The Court unites with the Bar in honor to the memory of our departed brother Catron, and in sorrow for his loss.

He was less known to me than to any other member of this tribunal and yet sufficiently known to be the object of great respect and sincere esteem. His brethren affectionately remember him as an upright man and an excellent judge. It is their testimony that in the learning of the Common Law and of Equity Jurisprudence and especially in its application to questions of real property he had few equals, and hardly a superior. He was even more distinguished by strong practical good sense, by firmness of will

and straight forward honesty of purpose.
Ever frank and earnest in the expression of his opinions, he was yet void of desire to impose them arbitrarily on others. The candor & patience with which he listened to argument found fitting counterparts in the impartiality and equity of his judgments. These judgments remain and are his best monuments.

While the records of this Court endure, they will recall the memory of the just and fearless Magistrate who pronounced them, and will be esteemed as valuable contributions to the jurisprudence of his County. They will command from the Profession the confidence and respect which was felt for their author by his associates in the Court.

As a testimonial of honor, of affection and of sorrow, the Court will order that the proceedings of the Bar, with this response, be entered on the Records and will

adjourn to day without transacting its Ordinary Business."

Proclamation being made the Court is adjourned until tomorrow Morning at Eleven o'clock.

Wednesday December 6th 1865.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Ja Harris, it is ordered that John O. Mott Esq of Waterford, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr I. I. Coombs, it is ordered that A. G. Voris Esquire of Akron, State of Ohio, be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Montgomery Blair, it is ordered that Elisha Oscar Crosby Esquire, of New York City, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

288 Chauncey P. Williams &c
National Albany Exchange Bank
vs Peffs in Error
Michael A. Nolan et al &c
&
Adam Van Allen &c First
National Bank of Albany
289 vs Peffs in Er
Michael A. Nolan et al &c

Mr Ira Harris on behalf of the respective counsel in these cases filed a motion to have them set

down for argument on the fourteenth of January next –

Alexander I. P. Garesché
vs Pff in Error
285 The State of Missouri
&
I. A. Cummings
vs Pff in Er
292 The State of Missouri

Mr Reverdy Johnson of Counsel for the Plaintiffs in error filed a motion to have these cases set down for argument on the second monday of January next.

The United States
vs Pffs in Er
67 John D. Roddy and Daniel Coyand

The argument of this cause was commenced by Mr Ashton Ass't attorney General U S. of Counsel for the plaintiff in error.

By order of the Court no further argument was made in this cause.

67 The United States
ds Pff in Er
John D. Roddy and
Daniel Wyand

In error to the
Circuit Court
of the United
States for the
Western District
of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

per Mr Ch: Jus: Chase

68 The Territory of Nebraska
Ex rel Eleazer Wakeley
ds Pff in Er
William J. Lockwood

This cause was
submitted to
the Consideration
of the Court on
the record and
printed arguments by Mr Woolworth of Counsel
for the plaintiff in error & by Mr Lockwood. P. P.

Marinus W. Gardiner
City Treasurer &c
vs Pltff in Er
6.9 Anna R. Babcock

The argument of this cause was commenced by Mr Jenckes of of counsel for the plaintiff in error. Continued by Mr Potter of counsel for the defendant in error and concluded by Mr Jenckes for the plaintiff in error.

Paul Dacy[illegible]ouze et al
Claimants &c. appts
vs
70 The United States

This cause was submitted to the consideration of the court on the record & printed arguments by Mr Gaty and Mr Brewster of counsel for the appellants and by Mr Attorney General Speed and Mr Coffey for the appellees.

71 Nathaniel G. Gilman et al vs The City of Philadelphia et al appls — Ordered by the Court that this cause be and the same is hereby continued to the next.

72 Levi Beason, appl vs The Milwaukee and Chicago R. R. Co: — The argument of this cause was commenced by Mr Carpenter of Counsel for the appellant.

Proclamation being made the Court is adjourned until Friday morning next at Eleven o'clock.

Friday December 8th 1865.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase.	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Samel. F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Wm. Linn Brown, it is ordered that Orville J. Gierman Esq, of La Crescent, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr F. Carroll Brewster, it is ordered that David W. Sellers Esquire of Philadelphia State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr A. G. Riddle, it is ordered that Leonidas E. Mayer Esquire, of Savannah State of Georgia and Solomon Lafayette Hoge Esquire of West Liberty, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

Friday December 8th 1865. Continued.

Paul Dreyfouze et al claimants &c
vs
70 The United States
&c appls

On motion of Mr Brewster of Counsel for the appellant

it is now here ordered by the Court that he have leave to argue this cause after the conclusion of the argument in No 72.

Nathaniel G. Gilman chab
vs
71 The City of Philadelphia
&c appls

On Motion of Mr Courtland Parker of Counsel for the appellants. it is now here ordered by the Court that the order of continuance entered in this cause on the 6th instant, be and the same is hereby stricken out, and that this cause be argued after the conclusion of argument in No 70.

The United States
129 vs appts
Samuel Schureman

The United States
130 vs appts
Thomas Green

The United States
131 vs Appts
John Beatty

The United States
132 vs Appts
John Shelly

The United States
133 vs appts
Frank Bowen

On motion of Mr Attorney General Speed, it is now here ordered by the Court, that these cases be argued with No 84. When that case is reached in the regular call of the docket.

John A. Norbach &
Richard Wiggins
vs Appls
189 John R. Porter &
Jane M. Porter
his wife
&
John A. Norbach
& Richard Wiggins
vs Appls
190 James Brown

These cases were submitted to the consideration of the Court on printed arguments by Mr Redick of Counsel for the appellants and by Mr Carlisle and Mr Woolworth of Counsel for the appellees under the 20th rule.

Alexander P. P. Garesché
vs Pff in Er
285 The State of Missouri

Mr Johnson of Counsel for the plaintiffs in error moved the Court to

J. A. Cummings
vs Pff in Er
292 The State of Missouri

assign a particular day for the argument of these cases, at

the present term of this Court.
Whereupon this Court not now here being sufficiently advised of and concerning what order to render in the premises took time to consider.

Ex parte: In the matter of A. H. Garland of Arkansas Petitioner

6. Org.C

On motion of Mr Beverly Johnson

Johnson of Counsel for the petitioner - it is now here ordered by the Court, that this cause be and the same is hereby set down for argument on Friday next the 15th instant.

Chauncey P. Williams &c
The National Albany Exchange Bank
vs Pff in Er

288

Michael A. Nolan &c
Adam Van Allen &c
The First National Bank of Albany
vs

289

Michael A. Nolan &c

Mr Ira Harris in behalf of the respective Counsel now here moves the Court

to set down these cases for argument on the 31st day of January next. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

188 — Erastus Sparrow &c vs Peffs in Er Charles L. Strong &c — The further argument of the motion to dismiss this cause was commenced by Mr O. H. Browning in support of the motion. Continued by Mr C. O'Connor in opposition thereto and concluded by Mr Browning in favor of the same.

279 — The United States vs Peffs in Er Le Roy M. Wiley — The argument of the motion to dismiss this cause was commenced by Mr Lacoeque in favor of the motion

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday December 11th 1865.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase Chief Justice
James M. Wayne
Sam[l] Nelson
Robert C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Sam[l] F. Miller
David Davis
Stephen J. Field
David S. Gooding Esq Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Attorney General Speed, it is ordered that Green Adams Esquire of Barbourville, State of Kentucky be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr R. P. Spalding it is ordered that T. A. Plants Esq of Pomeroy, and F. M. Keith Esq of Jackson County, State of Ohio, and John Hubbell Esquire of Buffalo State of New York, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr W. E. Niblack it is ordered that M. C. Kerr Esq of New Albany, State of Indiana be admitted to practice as an attorney and Counsellor and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr I. Hubley Ashton it is ordered that John W. Stokes Esq of Philadelphia, State of Pennsylvania be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr John A. Wells, it is ordered that William B. Lowe Esquire of Washington City, District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

288 Chauncey P. Williams & The National Albany Exchange Bank vs Pfff in Error Michael A. Nolan et al & Adam Van Allen vs The First National Bank of Albany

289 vs Pfff in Error Michael A. Nolan et al

On Consideration of the motion made in these cases on Friday last the 8th instant by Mr Ira Harris on behalf of the respective Counsel - it is now here ordered by the Court that these cases be and the same are hereby set for argument on the 31st day of January next.

285 Alexander I. P. Garesché
vs Pltff in Error
The State of Missouri
&
292 I. A. Cummings
vs Pltff in Er
The State of Missouri

On consideration of the motions made in these cases on Friday last the 8th instant by Mr Beverly Johnson of Counsel for the plaintiffs in error, it is now here ordered by the Court that said motions be and the same are hereby overruled.

332 The Aetna Insurance Co.
vs Plaintiffs in Er
Samuel H. Webster

Mr Carlisle of Counsel for the defendants in error having filed and read in open Court the following certificate to wit:

"Circuit Court of the United States for the Eastern District of Michigan

(Recorded and numbered) 22 December 1865.

Samuel H. Webster

vs

Aetna Insurance Company

I William D. Wilkins, Clerk of said Court do hereby certify that there is a cause entitled as above in the said Court and that the same was tried by Jury at the June Term of said Court A.D. 1865 - that a verdict was rendered for the Plaintiff and that thereupon on the 15th day of July A.D. 1865 a judgment was rendered by the said Court for the sum of Two thousand and two hundred Seventy five dollars and forty five cents damages and $67.56 Costs of suit.

I further certify that a writ of error from the said Court to the Supreme Court of the United States has been duly sued out and allowed in the said cause from the Judgment aforesaid by the said Aetna Insurance Company Plaintiff in Error.

Seal

Witness my hand & the seal of said Court at Detroit this thirteenth day of November A.D. 1865

Wm D. Williams
Clerk C. C. U. S.
E. D. Michigan

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error. Now here moved to the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error to the Circuit Court of the United States for the Eastern District of Michigan be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Per Mr Ch: Jus: Chase

72 Levi Blossom appl
vs
The Milwaukee & Chicago
R. R. Company

The argument of this cause was continued by Mr Buckley of Counsel for the appellees and concluded by Mr Cushing of Counsel for the appellants

201 County Board of
Supervisors of
Sheboygan County
vs Pffo in Er
Ward M. Parker

This cause was submitted to the considera= tion of the Court on the record and printed arguments by Mr I. S. Brown of Counsel for the plaintiff in error, and by Mr M. H. Carpenter of Counsel for the defendant in Error under the 20th rule of Court.

Charles Comstock et al
vs
202 Jefferson Beauford

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr J. A. Brown for the plaintiff in error and by Mr Lakin for the defendant in error, under the 20th rule.

Edward Haight, Claimt
vs Appt
64 The United States

Alexander J. Blakely
Claimt &c Appt
vs
65 The United States
&
Fraser, Trenholm & Co
Claimts &c Appts
vs
66 The United States

Ordered by the Court that these cases be reargued on the 2d Monday of January next.

Paul Duverouze et al claimts &c appts
vs
70 The United States

The argument of this cause was commenced by Mr J. Carroll Brewster of Counsel for the appellants, continued by Mr Ashton, Asst Atto: Genl for the appellees and concluded by Mr Brewster for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday December 12th 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam'l F. Miller	
	David Davis	
	Stephen J. Field	
David D. Gooding Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr James M. Carlisle, it is ordered that Henry A. Tailor Esquire, of New York City State of New York be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Daniel S. Dickerson, it is ordered that William A. Monroe Esq of Washington City District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Speed, it is ordered that Henry Crawford Esq of Reed ~~Albany~~ State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The Barque Springbok &c
vs
83 The United States
&
The Schooner Stephen Hart, John Meyer Claimant
vs
126 The United States

On motion of Mr Attorney General & Speed of Counsel for the Appellees it is now here ordered by the Court that these cases be set for argument on the 2d Monday in January next, immediately after the argument of the "Bermuda" cases Nos 65, and 66.

Lafayette Maynard vs Peffer Er
337 The United States

Mr Ashton of Counsel for the defendant in error having filed and read in open Court the following Certificate to wit:-

(Returned January 14 December 1865.)

"Clerks Office. Circuit Court United States
10th Circuit & Northern District California

United States of America
vs
Lafayette Maynard

Suit on Bond

In the above entitled cause, I do hereby certify that a final judgment was rendered in the Circuit Court of the United States for the tenth Circuit and Northern District of California on the Twenty fifth Day of April Eighteen hundred and sixty five, in favor of the said United States and against the said defendant for the sum of One hundred thousand and forty nine dollars & 40/100 and that a writ of error was duly sued out on the 14th of June A. D. 1865, by the said defendant and allowed on the same day returnable to the December Term 1865 of the Supreme Court of the United States, and that the same has been duly made a supersedeas &c.

{Seal} Witness my hand and the seal of the said Court at San Francisco this 17th day of October in the year of our Lord one thousand eight hundred and sixty five.

Geo: C. Gorham
{Stamp} Clerk U. S. Circuit Court
N. D. California

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court; or in any way to prosecute said writ of error. Now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the Northern District of California be and the same is hereby docketed and dismissed and that this cause be and the

same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

per Mr Jus: Chase

71 William G. Gilman chel vs The City of Philadelphia

The argument of this cause was commenced by Mr Harding of counsel for the appellants continued by Mr Sellers and Mr Brewster of counsel for the appellees. and by Mr C. Parker for the appellant.

73 Minnesota Mining Co: vs Peffs in Er National Mining Co:

Mr Buel of counsel for the defendant in error moved the Court for an extension of time in the argument of this cause Whereupon this Court not being now here, sufficiently advised of and

Concerning what order to render in the premises took time to consider.

No 8. Orgl. Ex parte: In the matter of R. H. Marr & Co Petitioner

Mr Marr moved the Court to have his petition considered and decided with that of Mr Garland No 6 Original C. A. C.

Proclamation being made the Court is adjourned until tomorrow Morning at eleven oclock.

Wednesday December 13th 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Samuel F. Miller	
	David Davis	
	Stephen J. Field	
David D. Gooding Esq		Marshal
Daniel Wesley Middleton,		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James D. Brown, it is ordered that John Newton Rogers Esquire, of Davenport, State of Iowa be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that Gilbert D. Miller Esquire of Alexandria, State of Virginia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

125 Baskets of Champagne marked E. C. and 606 Baskets of Champagne marked E. C. Eugene Cliequot. Claimt

320 vs Pffs in Error

The United States

300 Baskets of Champagne, marked A. G. S. & Co. R Feuerstein, Claimant

321 vs Pffs in Er.

The United States

The United States Pffs in Er

322 vs

125 Baskets of Champagne, I Bollinger, Claimant

On motion of Mr Attorney

General Speed of Counsel for the United States, it is now here ordered by the Court that these cases be set for argument on 2nd Monday of January next, immediately after the argument of cases Nos 64, 65, 66, 33, & 126.

71 Nathaniel G. Gilman et al vs The City of Philadelphia — Appeal — The argument of this cause was concluded by Mr Parker of counsel for the appellants.

73 The Minnesota Mining Co: vs The National Mining Co: et al — Pet'n for Er — This cause was argued by Mr Rives of Counsel for the defendant in error and submitted on printed argument by Mr Beverly Johnson in behalf of Mr Bonneyn of Counsel for the plaintiff in error

G. Clarence Churchill impleaded with E. S. Brayton et al vs The City of Utica

286

On motion of Mr Evarts of Counsel, it is now here ordered by the Court that this cause be set down for argument on the 31st of January next, with Nos 288 and 289.

Wm Havemeyer, Plaintiff vs The Board of Supervisors of County of Iowa

74

The argument of this cause was commenced by Mr Carpenter of Counsel for the plaintiff

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday December 14th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Samuel F. Miller	
	David Davis &	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Attorney General Speed it is ordered that Jonas M. Tebbetts Esquire of Fayetteville, State of Arkansas be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Daniel S. Dickinson it is ordered that Edward M. Lee Esquire, of New York City, and P.B. Wilson Esq of Washington City District of Columbia be admitted to practice as attorneys & Counsellors of this Court & they were sworn accordingly

On motion first made to the Court in this behalf by Mr James M Carlisle, it is ordered that Simon Fowle Esq of Washington City, District of Columbia, be admitted to practice as an attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James S. Brown, it is ordered that Thomas R. Hudd Esq of Appleton, State of Wisconsin be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

337 Lafayette Maynard
vs Pltff in Er
The United States

Mr Ashton of Counsel for the defendants in error moved the Court to rescind and annul the judgment entered by this Court in this cause on the 12th instant docketing and dismissing this writ of error.

On consideration whereof it is now here ordered and adjudged by this Court that the said judgment be and the same is hereby rescinded and annulled.

74 Wm F. Havemeyer
vs Plaintiff
The Board of Supervisors of County of Iowa

The argument of this cause was continued by Mr Ryan of Counsel for the defendant and concluded by Mr Carpenter for the plaintiff.

75 The Schooner "Elmira Cornelius" John Dumpson. Claimt &c
vs Appts
The United States

On motion of Mr Cushing on behalf of Mr Gillet of Counsel for the appellants

It is now here ordered by the Court that this cause be and the same is hereby post-poned for the present.

76 The Chenango Bridge Co: as Peffer &c
vs
The Binghampton Bridge Co:

The argument of this cause was commenced by Mr Mygatt of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Friday December 15th 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Samuel F. Miller	
	David Davis	
	Stephen J. Field	
	David D. Gooding Esquire	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Caleb Cushing, it is ordered that Stephen G. Clarke Esquire of New York City, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Beverly Johnson it is ordered that Frederick A. Aiken Esquire of Washington City District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

279 The United States vs Plff in Error / Le Roy M. Wiley

The argument of the motion to dismiss this cause was continued by Mr Attorney General Speed in opposition to the motion and concluded by Mr. Larocque in support of the same.

7 Org. Ex parte: The United States Petitioners, in the matter of the United States vs / M. A. R. de Poli

Mr Attorney General Speed filed a motion for a rule on the District Judge S. D. of California to show cause why a mandamus

should not issue.

8 Orig. Ex parte: In the matter of R. H. Marr of Louisiana Petitioner — Ordered by the Court that leave be and the same hereby is granted Mr Marr to file a printed argument in this cause and that it be considered and decided at the same time with No 6 original A. H. Garland. Petitioner

6 Orig. Ex parte: In the matter of A. H. Garland of Arkansas Petitioner — The argument in support of the petition in this case was commenced by Mr Matt. H. Carpenter and continued by Mr attorney General Speed in opposition to the same.

302 Mariano Castro - Appl. vs The United States — Motion of Attorney General Speed to dismiss appeal, filed.

Friday December 15th 1865. Continued.)

D.C. 1863
217

The United States - Appls
vs
Encarnacion S. de Poli
widow & heir of Manuel
A. R. de Poli, decd

Motion of
Attorney
General
Speed to
amend
record filed.

Proclamation being made the Court
is adjourned until Monday morning
next at Eleven o'clock!

Monday December 18th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	Samuel Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam'l F. Miller	
	David Davis	
	Stephen J. Field	
	David S. Gooding Esquire	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Speed, it is ordered that Joseph H. Choate Esq of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On Motion first made to the Court in this behalf by Mr Caleb Cushing, it is ordered that William E. Chandler Esquire of Concord, State of New Hampshire, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

Marinus W. Gardiner, City Treasurer of the City of Providence
vs
69 Anna R. Babcock, by her next friend, Simeon R. Babcock

In Error to the Circuit Court of the United States for the District of Rhode Island

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by Counsel. On consideration whereof it is now

here ordered, and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Rhode Island.

Mr Justice Davis

John A. Norback &
Richard Higgins
vs Appts
189
John R. Porter and
Jane M. Porter his Wife

Appeal from the Supreme Court of the Territory of Nebraska

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Nebraska and was argued by Counsel

On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court of the Territory of Nebraska in this cause be and the same is

hereby affirmed with costs.
for Mr Jus: Miller

John A. Horbach and Richard Wiggins is appts
190 James Brown

Appeal from the Supreme Court of the Territory of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Nebraska and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court of the Territory of Nebraska in this cause be and the same is hereby affirmed with costs
for Mr Jus: Miller

The United States is appts
81 Jozefa De Haro et al

On motion of Mr Black of Counsel for the Appellees and with the consent of Mr

Allo: General Speed of Counsel for the appellants. it is now here ordered by the Court that this cause be argued with No 146, When that cause is reached in the regular call of the docket.

76 The Chenango Bridge Co: vs Piff in Er / The Binghampton Bridge Co: — The argument of this cause was continued by Mr Dickinson of Counsel for the defendant in error and concluded by Mr Mygatt for the Plaintiff in error

77 Magin Puig et al vs Appts / The Ship James Guthrie &c — The argument of this cause was commenced by Mr Charles Tracy of Counsel for the appellants

Appointment of Coyer

It is now here ordered by the Court that Oliver P. Gooding Esqure, of the State of Indiana, be and he is hereby appointed the Coyer of this Court, with all the rights privileges and emoluments thereunto by law belonging, in the place of George W. Phillips resigned.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday, December 19th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase.	Chief Justice
James M. Wayne	
Sam[l] Nelson	
Robert C. Grier	Associate
Nathan Clifford	Justices
Noah H. Swayne	
Sam[l] F. Miller	
David Davis	
Stephen J. Field	
David S. Gooding Esq	Marshal
Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Attorney General Speed it is ordered that William A. Moore Esq of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr O. H. Browning, it is ordered that Alexander H. Adams Esq of Lexington State of Kentucky, be admitted to practice as an Attorney and Counsellor and he was sworn accordingly.

77 Magin Puig etal vs Appts The Ship James Guthrie &c

The argument of this cause was continued by Mr Tracy for the appellant, by Mr Choate of Counsel for the appellees and concluded by Mr Tracy for the appellants.

78 The United States vs Appts The Steamboat Mohawk &c

The argument of this cause was commenced by Mr Ashton, ass't attorney General U. S. of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, December 20th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	David Davis &	
	Stephen J. Field	
David	S. Gooding Esq	Marshal
Daniel	Wesley Middleton	Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Jno Henry Clarke, it is ordered that Gilbert E. Hunter Esq of Mansfield, State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Caleb Cushing, it is ordered that James Emott Esq. of Poughkeepsie State of New York, be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr H. Maynard, it is ordered that Edmund Cooper Esquire of Shelbyville, State of Tennessee be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

78 The United States
vs
The Steamboat "Mohawk"

The argument of this cause was continued by Mr Ashton Asst. Attorney General for the appellants, by Mr Moore of Counsel for the appellees and concluded by Mr Ashton for the appellants.

79 William Boyce et ae vs John Nadley et ae

The argument of this cause was commenced by Mr Dunbin Ward of counsel for the appellants.

Proclamation being made the Court is adjourned until Tomorrow morning at Eleven o'clock.

Thursday December 21st 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David D. Gooding Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Henry Stanbery, it is ordered that Mark D. Hanover Esq. of Cincinnati State of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion duly made to the Court in this behalf by Mr James S. Brown, it is ordered that Thomas W. Miller Esquire, of New York City, State of New York be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly

309 The United States vs Peffs / George T. Scott — On motion of Mr Attorney Genl. Speed it is now here ordered by the Court that this cause be and the same is hereby set down for argument on the 15th day of February next.

79 William Boyce chas vs Appts / John Hadley chas — The argument of this cause was continued by Mr Ward for the appellants & by Mr Blanchery of Counsel for the appellee & concluded by Mr Robertson of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

Friday December 22d 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	David Davis	
	Stephen J. Field	
David D. Goodloe Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James H. Lane, it is ordered that Gerhard D. Brumbaugh Esquire of Marysville, State of Kansas be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

311 The United States vs Pltffs in Error Robert L. Cutting else

312 The United States vs Pltffs in Error Harvey Fisk, Alfederick A. Hatch

341 The Bank for Savings in the City of New York vs Pltiffs Maxwell B. Field

On motion of Mr Attorney General & ordered, it is now here ordered by the Court that these be and they are hereby set down for argument on the 31st day of January next.

309 The United States vs George G. Scott

It is now here ordered by the Court that this cause be and the same is hereby set down for argument on the 31st day of January next, instead of the 15th day of February as ordered yesterday.

334 Joshua Barrell appt
vs
The Propeller Mohawk
The Western Transportation
Company. Claimant

The Browning of
Counsel for the
appellees filed
a motion to
dismiss the appeal
in this case.

332 The Aetna Insurance Co: Pltff in Error
vs
Samuel H. Webster

On Motion of
Mr Towle of
Counsel for
the plaintiff
in error with the assent of Mr Carlisle
of Counsel for the defendant in error.
it is now here ordered by the Court that
the order docketing and dismissing this
cause with costs, on the 11th instant be
and the same is hereby rescinded and
annulled and that the plaintiff in
error have leave to docket the case.

Ex parte: In the Matter of A. H. Garland of Arkansas Petitioner

The argument in support of this petition was

Concluded by Mr Reverdy Johnson of Counsel for the petitioner.

Proclamation being made the Court is adjourned until Tuesday morning next at eleven oclock.

Tuesday December 26th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	David D. Gooding Esq	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

George Smith. Appt — The argument of this
vs cause was commenced by
30 John I. Orton Mr I. S. Brown of Counsel
for the appellant, continued
by Mr H. S. Orton of counsel for the appellee and
by Brown for the appellant.

Proclamation being made the Court is adjourned until
tomorrow morning at eleven o'clock.

Wednesday December 27th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase	Chief Justice
James M. Wayne	
Sam[l] Nelson	Associate
Robert C. Grier	Justices
Nathan Clifford	
Noah H. Swayne	
Sam[l] F. Miller	
David Davis	
David S. Gooding Esq	Marshal
Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

80 George Smith appt vs John D. Orton

The argument of this cause was concluded by Mr Brown for the appellant.

81 The United States
vs Appt
Josefa de Haro et al
and
D. Mahoney, Intervenor
In the case of Josefa
de Haro et al. Appt
vs
146 The United States

The argument of these cases was commenced by Mr Wells of Counsel for the United States Continued by Mr Black of Counsel for Mahoney, intervenor and assignee of the title of De Haro's heirs the original claimants, and by Mr J. H. Bradley in behalf of intervening pre-emptors claiming title under the United States.

Proclamation being made the Court is adjourned until tomorrow morning at 11. o'clock.

Thursday, December 28th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase	Chief Justice
James M. Wayne	
Sam'l Nelson	
Robert C. Grier	Associate
Nathan Clifford	Justices
Noah H. Swayne	
Sam'l F. Miller	
David Davis &	
Stephen J. Field	
David J. Gooding Esq	Marshal
Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

John A. Blanchard is appt Nathaniel J. Brown Adm'r &c

226

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr Hitchcock of counsel for the appellant and by Mr Fuller of counsel for the appellees - under the 28th rule of Court.

81 The United States
vs Appls
Josefa de Haro
&
D. Mahoney. Intervenor &c
146 as Appls
The United States

The argument of these cases was concluded by Mr Bradley in behalf of intervening pet. employés claiming title under the United States.

82 The United States
vs Appls
Augustin Bernal

Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California & on the motion of Mr Asst. Gen'l Speed of Counsel for the appellees. It is now here ordered, adjudged & decreed by this Court that this cause be & the same is hereby dismissed.

per Mr Ch: Jus: Chase

84 The United States Petts
vs
Rufus B. Vassar

129 The United States. Petts
vs
Samuel Schneeman

130 The United States Petts
vs
Thomas Green

131 The United States. Petts
vs
John Beatty

These cases were argued by Mr Attorney General Speed of Counsel for the United States.

132 The United States
vs Petts
John Shelley

133 The United States. Petts
vs
Frank Bowen

These cases were argued by Mr atto: General Speed of Counsel for the United States.

87 The Ship "Admiral" W.K Coyhead, Claim't & Apps vs The United States

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Ashton, Assistant Atto: General for the appellees

87 The Ship "Admiral" W.K Coyhead, Claim't. Apps vs The United States

It is ordered by the Court that the Counsel for the appellants have leave to file a printed argument in this case within ten days from this date.

88 The Brig "Isabella Thompson" &c vs The United States

This cause was argued by Mr T. J. Coffey of Counsel for the appellees & submitted on printed argument by Mr Donohue of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday, December 29th 1865

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase.	Chief Justice
James M. Wayne	
Samuel Nelson	
Robert C. Grier	Associate
Nathan Clifford	Justices
Noah H. Swayne	
Samuel F. Miller	
David Davis	
Stephen J. Field	
David D. Gooding Esq	Marshal
Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. B. Nelson, it is ordered that Mathew H. Ellis Esquire of New York City, State of New York be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

43 Joseph Andrews pls Pffs in Er
Charles A. Hensler

Mr Browning of Counsel for the plaintiff in error moved the Court to set the cause for hearing on some day during the present term of the Court. Whereupon this Court not being now here sufficiently advised of and concerning what Order to render in the premises took time to consider

51 James K. Simpson et al pls Pffs in Er
Austin Dall et al

Mr Browning of Counsel for the defendant in error moved the Court to set this cause for hearing on some day during the present term of the Court. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider

Alexander Duncan & al Clmts &c Appts
vs
89. Edmund Kimball

The argument of this cause was commenced by Mr Thayer of Counsel for the appellants, continued by Mr B. R. Curtis of Counsel for the appellees and concluded by Mr Thayer for the appellants

The Ship "Admiral" W. K Coyhead &c Appt
vs
87 The United States

Mr Thayer of Mr Donohue filed, and case fully submitted to the Court.

Proclamation being made the Court is adjourned until Tuesday morning next at eleven o'clock.

Tuesday January 2d 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: James M. Wayne
Sam[l] Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Sam[l] F. Miller &
Stephen J. Field

David S. Gooding Esq — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Durbin Ward Esquire, it is ordered that Thomas Wilson Esquire of Washington City, District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Charles Comstock &c. } In Error to the
vs } Circuit Court
12 Jefferson Crawford } of the United
} States for
the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by Counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Field

The Territory of Nebraska } In error to
Ex: rel Elcazer Wakeley } the Supreme
8 vs } Court of
William F. Lockwood } the Territory
} of Nebraska

This cause came on to be heard on the transcript of the record from

The Supreme Court of the Territory of Nebraska and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of the Territory of Nebraska in this cause be and the same is hereby affirmed with Costs

per Mr Jus: Swayne

William F. Havemeyer
vs Plaintiff
74 The Board of Supervisors
of the County of Iowa

On a certificate of division in opinion between

the Judges of the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and on the points and questions upon which the judges of the said Circuit Court were opposed in

opinion, and which was certified to this Court for its opinion agreeably to the act of Congress in such case made and provided; and was argued by Counsel. On consideration whereof it is the opinion of this Court in answer to the first and second questions that under the circumstances the Statute referred to is to be held to be a local act and not a general law.

To the third question for the reasons stated in the opinion no answer will be given and that it be so certified to the said Circuit Court.

per Mr Just: Swayne

Levi Blossom. appellant
vs
The Milwaukee & Chicago Rail road Company

Appeal from the District Court of the United States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the

District Court of the United States for the District of Wisconsin, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs, and that this cause be & the same is hereby remanded to the Circuit Court of the United States for the District of Wisconsin.

per Mr Justice Clifford

The Minnesota Mining Company Plff in Er. vs The National Mining Co: James M. Cooper

In error to the Supreme Court of the State of Michigan

73

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan & was argued by Counsel - On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme

Court of the State of Michigan in this cause be and the same is hereby affirmed with costs.

Per Mr Jus: Grier

The County Board of Supervisors of Sheboygan County vs Peff in Error
Ward M. Parker

In error to the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by Counsel. On consideration Whereof It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be & the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

Per Mr Jus: Grier

The Suffolk Manufacturing Company
90 vs Plaintiff in Error
Isaac Hayden

The argument of this cause was commenced by Mr Carsten Browne of counsel for the plaintiff in error. and continued by Mr B. R Curtis of Counsel for the defendant in error.

Cornelius F. Buck
135 vs Pffs in Er
Horace N. Colbath

and

Cornelius F. Buck
136 vs
Horace N. Colbath

Mr Carlisle of Counsel for the defendant in error filed motion to dismiss the writs of error in these causes.

Samuel G. Wolcott
vs Peggy Es
The Des Moines Navigation
& Railroad Company

This cause was submitted to the consideration of the court on the record and printed arguments by Mr Gilbert of Counsel for the plaintiff in Error and by Mr Litchfield for the defendant in error under the 20 rule

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oclock.

Wednesday January 3d 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: Salmon P. Chase	Chief Justice
James M. Wayne	
Sam.l Nelson	
Robert C. Grier	Associate
Nathan Clifford	Justice
Noah H. Swayne	
Sam.l F. Miller	
David Davis	
Stephen J. Field	
David S. Gooding Esq	Marshal
Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr John Lolliffe, it is ordered that Charles W. Hornor Esquire of New Orleans, State of Louisiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

215 Sun Cheong Kee vs Peffs in Er The United States

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Goold of Counsel for the plaintiff in error and by Mr Ashton Asst Attorney General for the defendant in error.

90 Suffolk Manufacturing Company Peff in Error vs Isaac Hayden

The argument of this cause was concluded by Mr Cushing of Counsel for the plaintiff in error.

91 Elias L. Beardsley vs Peff in Er Julian Federy

The argument of this cause was commenced by Mr Wells of Counsel for the plaintiff in error continued by Mr Carlisle of Counsel for the defendant in Error & concluded by Mr Wells for the plaintiff in error

Wednesday January 3d 1866. Continued.)

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oclock.

Thursday January 4th 1866

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase Chief Justice
Saml. Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Saml. F. Miller
David Davis
Stephen J. Field
David S. Goodwin Esq Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Courts opened

On motion duly made to the Court in this behalf by Wm J. Mason Campbell it is ordered that Bernard Carter Esq of Baltimore State of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion leave is made to the Court in this behalf by Mr John A. Wolfe, it is ordered that H. Scott Howe Esquire of Keokuk, State of Iowa be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly.

92 The Brig Meteor &c vs The United States

The argument of this cause was commenced by Mr Donohue of Counsel for the appellants, continued by Mr Ashton, Assistant Attorney General of Counsel for the appellees and concluded by Mr Donohue for the appellants.

93 William B. Lovejoy &c vs Edward D. Murray

Ordered by the Court that this cause be and the same is hereby postponed for the present.

94 Evans Rogers. Pltff in Er vs City of Keokuk and 95 Evans Rogers. Pltff in Er vs County of Lee

These causes were submitted to the consideration of the Court on the record & printed argument by Mr F. A. Dick of counsel for the plaintiffs.

Mr Justice Miller did not sit in these cases.

96 Evans Rogers. Pltff in Er vs City of Burlington

The argument of this cause was commenced by Mr Browning of counsel for the defendant in Error.

361 The County of Lee vs Pltff in Er J. Edgar Thompson

Mr H. Scott Howell of counsel for the defendant in Error having filed & read in open Court the following certificate to wit:—

"Circuit Court of the United States
for the Northern District of Illinois,
Wednesday October 19th A.D. 1864
Present the Hon: Thos Drummond, Judge
J. Edgar Thompson
as
The County of Lee

assumpsit-

This cause having
this day been called for trial now come
the parties by their attorneys and upon
issue joined thereupon come a Jury of
good and lawful men to wit: Ezra
Sprague, Abner Cogswell, Thomas
C. Dames, Dalmon Stibbins, Charles
P. Clark, A. G. Buell, David Hawes
Nathan Gray, Albert Patch, Orrin
Wheaton, George E. Haskell and
Daniel Smith who were all duly
elected tried and sworn to well and
truly try said issue and to find and
report the Plaintiffs damages herein,
and after hearing the evidence and
receiving the instructions of the Court
the Jury returned into Court the fol-
lowing verdict to wit: We the Jury

find the issue for the plaintiff and find and report his damages to the sum of Four Thousand eight hundred and ninety three dollars and fifty nine cents. It is thereupon considered and adjudged by the Court that the said Plaintiff do have and recover of and from the said defendant the said sum of Four thousand Eight hundred and ninety three and fifty nine cents his damages so as aforesaid found and reported together with his costs and charges by him about his suit in this behalf expended amounting to the sum of — dollars and — cents and that he have execution therefor directed to the marshal of the District of Iowa.

Northern District of Illinois ss.

I, William H. Bradley, Clerk of the Circuit Court of the United States within and for said Northern District of Illinois, do hereby certify the foregoing transcript to be a true & correct copy from the record of the proceedings of said Court of the final judgment

entry made and entered thereon in the case of J. Edgar Thompson vs The County of Lee, Iowa. as the same now remains in my custody and I further certify that the said defendant to wit: The County of Lee, Iowa, duly sued out of said Court a writ of error to take said case to the Supreme Court and that a bond in error was duly filed and approved by the Court & that this certificate is made to enable the defendant in error to docket the said cause and to have the same dismissed in said Supreme Court

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at my office in Chicago in said Northern District this 12th day of December A.D. 1865.

Seal

Wm. H. Bradley Clerk

And having stated that the plaintiff in Error had altogether failed to file the record of said cause in this Court, or in

any way to prosecute said writ of error
Now here moved the Court in pursuance
of the 9th rule of this Court to have this
writ of error docketed and dismissed
On Consideration whereof, it is now
here ordered and adjudged by this Court
that this writ of error to the Circuit
Court of the United States for the North-
ern District of Illinois be and the
same is hereby docketed & dismissed
with costs and that this cause be and
the same is hereby remanded to the
said Circuit Court for further pro-
ceedings to be had therein in conformity
to law and justice the said writ of error
notwithstanding.

Per Mr Ch: Jus: Chase

Proclamation being made the Court is
adjourned until tomorrow morning at
Eleven o'clock

Friday January 5th 1866

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase Chief Justice
James M. Wayne
Saml. Nelson
Robt C. Grier Associate
Nathan Clifford Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
David S. Goodwin Esq Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion duly made to the Court in this behalf by Wm D. M. Carlisle, it is ordered that Charles C. Bonney Esq of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr John A. Wills, it is ordered that J. C. Sinclair Esquire of Philadelphia State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

No 90 on the docket

The United States Exrel The Attorney General U.S. vs The Petitioners The Judges of the Circuit Court of the U.S. for the 10th Circuit.

The argument of the motion for a writ of mandamus in this case was commenced by Mr Ashton assistant Attorney General in support of the same. Continued by Mr Cope in opposition thereto and concluded by Mr Black in favor of the motion.

96 Evans Rogers
vs
The City of Burlington

The argument of this cause was continued by Mr Browning and concluded by Mr Ewing of Counsel for the defendant in error & Submitted on muted argument by Mr Dick of Counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until Monday morning at Eleven Oclock.

VO

LUME

X

Monday January 8th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion of Mr Reverdy Johnson, it is ordered that Thos P. Stockton Esq of Trenton, State of New Jersey be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. Nubley Ashton, it is ordered that Charles E Pell Esqure. of Washington City, District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr O. H. Browning, it is ordered that George W. McCrary and William W. Belknap Esquires of Keokuk, State of Iowa, be admitted to practice as Attorneys and counsellors of this Court and they were sworn accordingly.

Magin Puig, Ramon Mir, and Juan Bautista Soulere
vs Appls
The Ship James Guthrie her tackle &c, James W. Phillips, Clmt.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof the Court being equally divided

it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

William Bayce, John R. Dunlap & al Appts vs John Hadley & William Pyle, et al		Appeal from the Circuit Court of the United States for the Southern District of Ohio.

79

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio. and was argued by Counsel. On consideration whereof the Court being equally divided it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Erastus Sparrow & al vs Chas L. Strong & al	Pltffs in Error	On consideration of the motion filed to dismiss the writ of error in this cause, & of the arguments

188

of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said motion be and the same is hereby overruled.

The United States
vs Plff in Error
270 LeRoy M. Wiley

Ordered by the Court that the consideration of the questions, arising in this cause, upon the motion to dismiss the writ of error on the ground that a pardon has been granted to the defendant by the President of the United States be and the same is hereby postponed until after the argument upon the merits.

George Parks, Samuel Orcutt & Martin Peyerson
vs Appellants
363 Theodore Newell

Mr B. C. Cook of Counsel for the defendant in error having filed and read in open Court the following certificate to wit:

" Circuit Court of the United States for the Eastern District of Michigan

In chancery sitting

Seal

I William D. Watkins, Clerk of said Court do hereby certify that in the case of

Theodore Newell, Complainant

vs

George Parks, Samuel Odell, and Martin Ryerson - Defendants

an appeal has been taken to the Supreme Court of the United States, from the decree of the Circuit Court of the United States for the Eastern District of Michigan entered therein, in said cause on the 17th of December 1864, and the said defendants having filed Bond as required by Law, the same operates as, and has the effect of a supersedeas in said cause

In testimony Whereof I have hereunto set my hand and affixed the Seal of said Circuit Court of the United States at the City of Detroit in said District this first day of December A D. Eighteen hundred and sixty five

Wm D. Watkins

Clerk "

and having stated that the appellants had

altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal - Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Michigan be and the same is hereby docketed & dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding

per Mr Ch: Jus: Chase

Edward Haight, Clmt

64 vs

The United States

Alexander T. Blakely
Clmt & c Appts

65 vs

The United States

and

Fraser, Trenholm & Co
Clmts & c Appts

66 vs

The United States

The re-argument of these cases was commenced by Mr W. B. Reed of Counsel for the appellants continued by Mr Coffey Special Counsel and the Attorney General Speed for the appellees

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 9th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	David Davis	
	Stephen J. Field	
Daniel S. Gooding Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Lorenzo Sherwood, it is ordered that J. F. Benjamin Esq. of Shelbyville, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Sebastian Reichert
vs Peffer Ex
353 Michael Felps et al

Mr Browning of counsel for the plaintiff in error filed a suggestion of the death of Ruth Felps, Wm L. Felps and Henry I. Felps, defendants in error in this cause, and moved the Court for an order of publication under the 15th rule of this Court. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Edward Haight, Clmt
vs appts
64 The United States

Alexander J. Blakeley Clmt
vs appt
65 The United States
and
Fraser, Trenholm & Co, Clmts
vs appts
66 The United States

The argument of these causes was continued by Mr Attorney General Speed for the appellees and concluded by Mr Wharton of Counsel for the appellants.

83. The Barque Springbok &c vs The United States

The argument of this cause was commenced by Mr Charles Edwards of Counsel for the Appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday January 10th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt G. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esqui[re]		Marshal
Daniel Cooley Middleton		Clerk

Proclamation being made the Court is opened.

On motion filed made to the Court in this behalf by Mr James M. Carlisle, it is ordered that Robert Rae Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

The United States of America
On the relation of Ann E. J.
Toppan and Charles H. Healey
Executors of C. S. Toppan, deceased
vs Plffs in Error
The Board of Supervisors of
Hancock County.

In error to
the Circuit
Court of the
United States
for the
Southern
District of
Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and on the motion of Mr Carlisle of Counsel for the plaintiffs in error, stating that the matters in controversy in this cause had been agreed and settled between the parties. It is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs.

per Mr Ch. Jus: Chase

The Bank Springboh &c
83 vs Appts
The United States

The argument of this cause was continued by Mr Edwards for the Appellants and by Mr Ashton Assistant Attorney General of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday January 11th 1866

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr T. P. Coffey, it is ordered that Hiram P. Bennet of Denver, Territory of Colorado & Horace H. Harding, of Helena, Territory of Montana, Esquires, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Speed, it is ordered that Edward Jordan Esquire of Washington City, D. C. be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James M. Carlisle, it is ordered that Wirt Dexter Esquire of Chicago, State of Illinois be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

83 The Barque Springbok &c vs The United States Appls

The argument of this cause was concluded by Mr Carlisle of Counsel for the appellants

126 The Schooner Stephen Nash &c vs The United States Appl

This cause was argued by Mr Coffey Special Counsel for the United States

125 Baskets of Champagne
Eugene Clicquot, Clmt &c
vs Peft in Error
320 The United States

and

300 Baskets of Champagne
R. Feuerstein Clmt
vs Peft in Er
321 The United States

The argument of these cases was commenced by Mr Eaton of Counsel for the Appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday January 12th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: Salmon P. Chase — Chief Justice

Sam[l] Nelson

Robt C. Grier

Nathan Clifford — Associate

Noah H. Swayne — Justices

Sam[l] F. Miller

David Davis

Stephen J. Field

David S. Goodwin Esqre — Marshal

Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr James M. Carlisle. it is ordered that Edmund Randolph Robinson Esquire of New York City, State of New York. be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Wm I. A. McDougall, it is ordered that H. B. Burnham Esquire of Washington City, D. C. be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

311. of 1864

William Brobst et al
his Appts
John Brobst

Mr Brent moved the Court to direct this cause to be re-instated on the docket of this Court; so far as the certificate of division in relation to three eighths of the property in controversy is involved. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

7 orgs

Ex parte: The United States
Petitioner
In the matter of the U. States
vs
M. A. R. De Poli

The motion for a rule on the District Judge of the U. States for the Southern District of California to show cause &c, was argued by Mr Atto. Gen. Speed in support of the same. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Joseph Andrews
as Pff in Er
43 Charles A. Hauser
and
James R. Simpson chal
as Pff in Er
51 Austin Dale ch al

The motion to fix a day for the hearing of these cases was argued by Mr Browning in support of the same - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Mariano Castro
as Appt
302 The United States

The motion to dismiss the appeal in this cause, was argued by Mr Wells in support of the same and by Mr Stewart in opposition thereto.
Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises.

320 125 Baskets of Champagne Eugene Cliequot, Clmt &c vs Peffs in Error

The United States and 300 Baskets of Champagne B. Feuerstein, Clmt

321 vs Peffs in Er The United States

The argument of this cases was continued by Mr Eaton for the plaintiff in error and by Mr Lake & Mr Atty Gen'l Speed of Counsel for the defendant in error & concluded by Mr Eaton for the plaintiff in error.

322 The United States vs Peffs in Er 125 Baskets of Champagne

This cause was argued by Mr Lake of Counsel for the United States.

7 Orig's Ex parte: The United States Petitioner In the matter of The United States vs Appts M. A. R. de Polo

On motion for a rule on the Judge of the District Court of the United States for the Southern District of California to show cause &c

Mr Attorney General Speed of Counsel

for the United States in the above entitled cause having moved the Court for a rule on the District Judge of the United States for the Southern District of California requiring him to show cause on the first Monday of December next why a peremptory writ of Mandamus should not issue directing him to accept the appeal of the said United States from the decree rendered on the Eleventh day of April 1861, in the above entitled cause, and to grant all such legal orders as may be necessary to enable the said United States to bring said appeal regularly before this Court; And Edmund L. Goold Esquire of Counsel for the respondent, consenting in open Court to the issuance of said rule as prayed for. It is now here ordered by the Court that a rule on the Hon: J. M. Haight Judge of the District Court of the United States for the Southern District of California, requiring him to show cause on the first Monday of December next, why a peremptory writ of Mandamus should not issue for the purposes above stated be & the same is hereby granted. And it is further ordered that a copy of this rule be forthwith served on the said District Judge

per Mr Ch: Jas: Chase

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday January 15th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
Daniel S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the court is opened

On motion first made to the Court in this behalf by Mr Henry Stanberry, it is ordered that C. D. Coffin Esquire of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Atto: Gen[l] Speed, it is ordered that Wilkes

Angel Esquire, of Angelica, State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr John A. Wells, it is ordered that James C. Moody Esq of St Louis, State of Missouri be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

89

Alexander Duncan, Wells Sherman William Butler Duncan, Charles H. Dabney, & David Duncan, Claimants of the Cargo of the Ship Anna Kimball vs Appellants

Edmund Kimball

Appeal from the Circuit Court of the U. States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts & was argued by Counsel On Consideration Whereof, it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court, in this cause be & the same is hereby affirmed with costs.

per Mr Justice Field

Dissenting Mr Justice Davis

The Brig "Isabella Thompson" her tackle &c James McDaniel, Claimant and Nehemiah N. Clements, on behalf of himself and Martin & Co: Claimants of the Cargo vs Appellants 88 The United States		Appeal from the District Court of the U. States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York and was argued by Counsel - On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Justice Davis

The United States - Appellants vs 78 The Steamboat Mohawk, her Engine &c, Matthias Tedgel &al Claimants		Appeal from the Circuit Court of the United States for the District of Michigan

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Michigan & was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be & the same is hereby affirmed.

(Rescinded & amended 22. January 1866.)

per Mr Jus: Miller

The Ship "Admiral" W. K. Cowhead, Claimant on behalf of Fernie Brothers & Co. Owners of said Ship.

vs Appls

The United States

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

87

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania & was argued by Counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr Jus: Clifford.

	The United States	Appeal from the District Court of
81	vs Appls	the United States for the Northern
	Josefa De Haro et al	District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said District Court entered in this cause on the 27th of June 1863, be and the same is hereby set aside, and that the decree of said District Court in this cause entered on the 18th day of June 1862, be and the same is hereby confirmed.

per Mr Jus. Grier

(Mr Justice Field did not sit in this case.)

	D. Mahoney, Intervenor	Appeal from the
	Appellant	District Court of
	In the case of Josefa de Haro et al	the United States
146	vs	for the Northern
	The United States	District of
		California

This cause came on to be heard on the transcript

of the record from the District Court of the United States for the Northern District of California and was argued by Counsel - On Consideration Whereof it is now here ordered, adjudged & decreed by this Court that the Appeal of D. Mahoney Intervenor, in this Cause be and the same is hereby dismissed.

Per Mr Justice Grier

(Mr Justice Field did not sit in this Case)

George Smith, appellant
vs
John L. Orton

Appeal from the Circuit Court of the U States for the District of Wisconsin.

80

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Wisconsin & was argued by Counsel On Consideration Whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be & the same is hereby reversed with costs - And that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree for the Complainant George Smith, and that the said defendant John L. Orton release all claim

or interest to Cols Nos 7 & 8 (Seven & eight) in controversy, and be enjoined from setting up any right or title to the same.

per Mr Justice Nelson

70

Paul Luzenberge, on behalf of Edward La Plume, Claimant of the Cargo of the Schooner Josephine -

vs Appellants

The United States

Appeal from the District Court of the United States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed

per Mr Ch: Justice Chase

The Schooner "Elmira Cornelius" John Simpson Claimant &c

vs Appls

The United States

75

The argument of this cause was commenced by Mr Gillet of Counsel for the appellants continued by Mr Ashton, Assistant Attorney General of Counsel for the appellees, and concluded by Mr Gillet for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'Clock.

Tuesday January 16th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esqure		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that William L. Yates Esquire of Baltimore, State of Maryland & James B. Smith Esquire of Montgomery, State of Alabama, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

97 Gardner Rawlins et al vs Appls
Edw J. Buchanan

This cause having been called for argument and no counsel appearing to argue the same, it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term of this Court.

98 The Baltimore Steam Packet Co: vs Appls
The Flushing College Point and Peck Slip Ferry Company

The argument of this cause was commenced by Mr Schley of counsel for the Appellants and continued by Mr Bernard Carter and Mr J. Mason Campbell of counsel for the appellees.

134 The United States vs Petts
Joseph Nass

On motion of Mr Asst. Gen. Speed of counsel for the appellants, it is now here ordered by the Court that this cause be argued with No 119, when that case is reached in the regular call of the docket.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday January 17th 1866

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	David Davis	
David S. Goodwin Esqure		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that C. W. Goddard Esquire of Auburn, State of Maine, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

98 The Baltimore Steam Packet Co: vs The Hudson College Point and New York Ferry Company — The argument of this Court was concluded by Mr Ashley of Counsel for the appellants.

99 Alexander McC Judd that vs Pliff in Er Isaac Thatcher et al — The argument of this cause was commenced by Mr Hamilton of Counsel for the plaintiff in error, continued by Mr Lord of Counsel for the defendant in error & concluded by Mr Hamilton for the plaintiff in error.

123 The Mayor and City Council of Baltimore and John A Thompson, Henry S. Hunt, Aaron Fenton, and John Denniston appellants vs The City of Wheeling — Appeal from the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the

Transcript of the record from the Circuit Court of the United States for the District of Maryland and on the motion of Mr Ashley of Counsel for the appellants, stating that the matters in controversy had been agreed and settled between the parties, and with the consent of Mr Campbell of Counsel for the appellees, per written stipulation filed - it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs.

Per Mr Ch: Jus: Chase

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday January 18th 1860. Continued)

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase — Chief Justice
Sam[l] Nelson
Robt C. Grier
Nathan Clifford
Noah H. Swayne
Sam[l] F. Miller
David Davis
Stephen J. Field
David J. Gooding Esqre — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the Court is opened.

On motion, it is made to the Court in this behalf by the Attorney General Speed, it is ordered that Nathaniel I. Thayer Esquire of Baltimore, State of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

	Daniel S. Haugh et al	The argument of
100.	vs Appls	this cause was
	Western Transportation Co:	commenced
		by Arrington

of Counsel for the appellants, continued by Mr Spalding of Counsel for the appellee and concluded by Mr Arrington for the appellants.

	The United States	Appeal from the
101.	vs Appls	Circuit Court
	George W. Carpenter	of the United
	Claimant of one case	States for the
	of dry goods.	District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and on the written Motion of Mr Attorney General Speed of Counsel for the appellants it is now here ordered, adjudged & decreed by this Court that this cause be and the same is hereby dismissed.

Per Mr Ch: Jus: Chase.

102 The United States vs. Affts The Schooner Reform

The argument of the Cause was Commenced by Mr Ashton, assistant Attorney General, of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oClock.

Friday January 19th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
Nancis S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Montgomery Blair, it is ordered that James Rogers Esquire of New York. City State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr O. H. Browning it is ordered that Lawrence Proudfoot Esquire of Chicago. State of Illinois, be admitted to practice as an Attorney and Counsellor and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr David Dudley Field, it is ordered that John D. Billings Esquire, of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr William M. Stewart, it is ordered that D. R. Ashley Esquire, of Austin State of Nevada, be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly

Joshua Barnes appl
vs
The Propeller "Mohawk"
The Western Transportation Co.

The motion to dismiss this cause was argued by Mr Browning in support of the same.

	The United States vs Appts. The Schooner Reform	The argument of this cause was continued by Mr Ashton, Assistant Attorney General for the appellants and by Mr Thayer and Mr Dobbin of counsel for the appellees and concluded by Mr Attorney General Speed for the appellants.
103	The City of Cincinnati vs Appt E. D. Morgan & Co.	The argument of this cause was commenced by Mr Stanbery of Counsel for the Appellant.

Proclamation being made the Court was adjourned until Monday Morning at Eleven o'clock.

Monday January 22d 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase	Chief Justice
James M. Wayne	
Sam[l] Nelson	
Robert C. Grier	Associate
Nathan Clifford	Justices
Noah H. Swayne	
Sam[l] F. Miller	
David Davis	
Stephen J. Field	
David S. Gooding Esquire	Marshal
Daniel Wesley Middleton	Clerk

On motion first made to the Court in this behalf by Mr Wm M. Evarts, it is now here ordered by the Court that Robert S. Hale Esquire of Elizabeth-town, State of New York be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

226 Wm N. Blanchard Compt
vs
Nathaniel J. Brown administrator of the estate of Benjamin F. Brown deceased, Nathaniel J. Brown & others heirs of the said Benjamin F. Brown decd.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Davis

78 The United States appellants
vs
The Steamboat "Mohawk" her Engines &c. Mathias Seelye &c. Claimants.

Appeal from the Circuit Court of the United States for the District of Michigan

Since the opinion of the Court was delivered in case on the 15th ultimo, the act of March 2d 1831 has come under the consideration of the Court, and its bearing on the question involved in this case is such that it is now here ordered by the Court that the opinion be recalled and that the decree entered by this Court on the 15th ultimo be and the same is hereby vacated and annulled and the case be held under further advisement

per Mr Jas. Miller.

Evans Rogers, Plaintiff
vs
The City of Keokuk

94

On certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa and on the points & questions upon which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made & provided, and was argued

by counsel - On consideration whereof it is the opinion of this Court that the legislature of the State of Iowa had the power to authorize the said municipal corporation, the City of Keokuk to subscribe for and take stock in a railroad company and to issue its bonds in payment therefor and to lay a tax to pay the interest upon said bonds. The legislature having such authority, the act legalizing the issue of County, City and Town corporation bonds in the Counties of Lee and Davis, gave validity to said bonds notwithstanding any informality or irregularity in their issue - The plaintiff having purchased the bonds in open market for value are not charged with any defect or irregularity in their issue - And that it be so certified to the said Circuit Court.

per Mr Dav: Grier

Evans Rogers - Plaintiff in Error
vs
The County of Lee

In error to the Circuit Court of the United States for the District of Iowa -

95

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr Jas: Grier

The Suffolk Manufacturing Company Pltffs in Error
vs
Isaac Hayden Deft in Error

90

In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment

of the the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr Justice Nelson

(Mr Ch: Jus: Chase and Mr Justice Davis did not sit in the argument of this cause.)

Sun Cheong Kee vs Poppe in Er to the United States

215

In error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr Ch: Jus: Chase.

103 The City of Cincinnati vs Appt E D. Morgan & Co: The argument of this cause was continued by Mr Stanbery for the Appellant and by Mr Coffin of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday January 23d 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam'l Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam'l F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon William Tracy it is ordered that Israel T. Spencer Esquire of Syracuse and John M. North Esquire of Dewitt, State of New York be admitted to practice as Attorneys & Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that Edward W. Beck Esquire. of Upper Marlborough, State of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The City of Cincinnati vs Appt
103 E. D. Morgan & Co: The argument of this cause was continued by Mr Coombs of Counsel for the appellees and concluded by Mr Stanbery for the appellant.

Richard S. Blackburn vs Pfff in Er
104 Lessee of G. T. Crawford et al. The argument of this cause was commenced by Mr T. S. Alexander of Counsel for the plaintiff in error

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday January 24th 1866

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that George W. Paschal Jr Esquire of Austin, State of Texas and Channcey Lucken Esquire, of Buffalo, State of New York, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Speed, it is ordered that Henry H. Wells Esquire of Washington City District of Columbia, and James R. Edsall Esquire of Dixon, State of Illinois, be admitted to practice as Attorneys & Counsellors of this Court and they were sworn accordingly.

Richard S. Blackburn
vs Pltff in Er
Lessee of G. T. Crawford
&c &c.

104

The argument of this cause was continued by Mr Reverdy Johnson of Counsel for the plaintiff in error and by Mr R. J. Brent and Mr R. T. Merrick of Counsel for the defendant in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday January 25th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
David S. Gooding Esqure		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that David Wright Esquire of Auburn, State of New York be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by the Attorney General, it is ordered that

Augustus C. Baldwin Esquire of Pontiac, and Levi Bishop Esquire of Detroit, State of Michigan be admitted to practice as Attorneys & Counsellors of this Court and they were sworn accordingly.

Richard S. Blackburn
vs Pltff in Er
Lessee of G. T. Crawford et al

104

The argument of this cause was continued by Mr Merrick for the defendant in error and concluded by Mr Remedy Johnson of Counsel for the plaintiff in error.

William R. Lovejoy et al
vs Pltffs in Er
Edward D. Murray

93

The argument of this cause was commenced by Mr Hutchins of Counsel for the plaintiff in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday January 26th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon: Salmon P. Chase	Chief Justice
James M. Wayne	
Saml. Nelson	
Robert C. Grier	associate
Nathan Clifford	Justices
Noah H. Swayne	
Saml. F. Miller	
David Davis	
Stephen J. Field	
Danl. S. Gooding Esquire	Marshal
Daniel Tyler Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Caleb Cushing it is ordered that Gideon J. Stewart Esquire, of Norwalk, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Henry Stanbery it is ordered that Charles Follett Esquire of Newark, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Theodore S. Campan et al vs Peffs in Er
348 George W. Lewis et al

The motion to dismiss this cause was argued by Mr C. S. Walker in support of the same, and by Mr Bishop in opposition thereto. Whereupon this Court not being now fully advised of & concerning what order to make in the premises took time to consider.

Sebastian Reichert vs Peffs in Er
353 Michael Felps et al.

Mr Browning of counsel for the plaintiff in error suggests the death of Ruth Felps Wm L. Felps & Henry I. Felps three of the defendants in error in this cause. And withdraws the motion for an order of publication filed on the 9th instant.

Friday January 26th 1866. Continued.

Bell - Grant
vs Appls
The Ohio Life Insurance
and Trust Company

On Motion of Mr Stanbery
it is now here ordered
by the Court that an
additional hour be
given to the respective
counsel in the argument of this cause.

William R. Longley &al
vs Plffs in Error
Edward D. Murray

The argument of
this cause was
continued by Mr
Hutchins of Coun=
sel for the plaintiffs in error and by Mr
Ball of counsel for the defendant in
error and concluded by Mr Hutchins
for the plaintiff in error

The County of Washington
vs Plff in Er
Clark Durant

This cause was
submitted to the
consideration of the
Court on the
record & printed argument by Mr Grant of
counsel for the defendant in error.

Proclamation being made the Court is adjourned
until Monday morning at eleven o'clock.

Monday January 29th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	
	Nathan Clifford	
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by the Attorney General Speed it is now here ordered by the Court that H. A. Pierce Esquire of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he has sworn accordingly.

Elias L. Beard, Henry G. Ellsworth
Ashley Cameron, Michael Gannon
Augustus E. Johnson, James Hudgill
John Doe, Richard Roe, John Noakes
and Richard Noakes
vs Pltffs in Er
Julian Fedeny

In error to the Circuit Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California & was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Field.

The Schooner Elmira Cornelius John Simonson, Claimant & Leach & Co:, Ames & Barnes et al Claimants of the Cargo vs Appellants 75 The United States	Appeal from the District Court of the United States for the Eastern District of Pennsylvania

This Cause came on to be heard on the Transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel - On Consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Justice Miller.

The United States. Appellants vs 78 The Steamboat Mohawk her Engine &c. Mathias Leitzel et ux. Claimants	Appeal from the Circuit Court of the U. States for the District of Michigan

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Michigan and was argued by Counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this case be & the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree of forfeiture and condemnation of the vessel

per Mr Justice Miller

Nathaniel G. Gilman et al
vs
The City of Philadelphia et al

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel - On consideration whereof it is now here ordered, adjudged & decreed

by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Jus: Swayne

Dissenting
Mr Jus: Wayne
" " Clifford
" " Davis

(Mr Justice Nelson did not sit in this cause)

96 Evans Rogers Pfff in Er vs The City of Burlington — In error to the Circuit Court of the U. States for the District of Iowa

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, & was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr Jus: Clifford.

Dissenting Mr Jus: Field
Mr Ch: Jus: Chase
" " Grier
" " Miller

The United States
vs Appts
The Schooner Reform
John Bailey, Claimant
and Nicholas G. Penniman
Claimant of the Cargo

Appeal from the
Circuit Court of
the United States
for the District
of Maryland.

102

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel. On Consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree of forfeiture against both boat the vessel and cargo.

Per Mr Jus: Clifford.

The Baltimore Steam Packet Company, owner of the Steamer Louisiana. Appellant
vs
48
The Flushing College Point & New York Steam Ferry Company

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Grier.

The United States
vs
322
125 Baskets of Champagne
L. Bollinger, Claimant.

Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby reversed and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a judgment of condemnation and forfeiture.

per Mr Justice Nelson

The United States Error. The Attorney General of the U. States as Petitioner
The Judges of the Circuit Court of the United States for the District of California Tenth Circuit

On petition for a writ of peremptory mandamus to the Judges of the Circuit Court of the United States for the Northern District of California

9. Orgs

On consideration of the petition filed and motion made in this cause, and of the arguments & counsel thereupon had as well in support of as against the same, it is now here ordered

and adjudged by this Court, that the writ of the United States issue, requiring and commanding the Judges of the Circuit Court of the United States for the Northern District of California to allow an appeal as prayed for, in the case of the City of San Francisco as The United States, from the decree of the said Circuit Court entered in said cause on the eighteenth day of May 1863, and to issue all and every process necessary to perfect said appeal.

(per Mr. Justice Nelson

Dissenting
Mr Justice Field
" " Grier
" " Miller

Theo Dehon's Executor. Intervenor &c
as appellant
106 C. S. de Bernard et al

The argument of this cause was commenced by Mr Eaton of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 30th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml F. Miller	
	David Davis &	
	Stephen J. Field	
David S. Goodin	Esquire	Marshal
Daniel Wesley	Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Francis Kernan it is ordered that W. F. Allen Esquire of New York City & Lyman Kernan Esquire of Albany. State of New York be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr Attorney General Speed it is ordered that A.A. Hosmer Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr O.A. Morrison it is ordered that Charles A. Reed Esquire of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. F. Kinney it is ordered that Allen A. Bradford Esquire of Pueblo Territory of Colorado, be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. F. Kinney, it is ordered that Isaac L. Gibbs Esquire of Nebraska City Territory of Nebraska be admitted to practice as

an Attorney and Counsellor of this Court and he was sworn accordingly.

The Chicago Western Indemnity &c appellant
vs
C. S. de Bernardiere

The argument of this cause was Continued by Mr Talon for the appellants, Continued by Mr Cope of Counsel for the appellee and concluded by Mr Talon for the appellant.

The York Manufacturing Company. Pfff in Er
vs
The Illinois Central R.R. Co:

This cause was argued by Mr Lacy of Counsel for the defendant in error and Submitted an printed argument by Mr Hitchcock of Counsel for the plaintiff in error.

Michael Secrist
vs Pfff in Er
Silas T. Green

This cause was argued by Mr Grimes of Counsel for the plaintiff in error.

Tuesday January 30th 1866. Continued

109. The Propeller Ottawa &c
as Appts
Robt Stewart. The
Pacific Mutual Insurance
Co: et al

The argument
of this cause
was commenced
by Mr Scott
Dexter of
Counsel for
the appellant.

Proclamation being made the Court is adjourned
until tomorrow morning at eleven o'clock.

Wednesday January 31st 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Jim Francis Herman it is ordered that Addison C. Miller Esquire of Utica, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

S. T.

Wednesday January 31st 1866. Continued

The Propeller Ottawa &c
as Appts
109 Robt Stewart, The Pacific
Mutual Insurance Co: that

The argument of this cause was continued by Mr Dexter for the appellants. by Mr Proudfoot of Counsel for the appellant and concluded by Mr Dexter for the appellant.

G. Clarence Churchill
as Pff in Er
286 The City of Utica

It is now hereordered by the Court that these Cases be argued together

Chauncey P. Williams &c
National Albany Exchange
Bank. Pff in Er
as
288 Michael A. McLean et al
and
Adam Van Allen &c
First National Bank of Albany
as Pff in Er
289 Michael A. McLean et al

G. Clarence Churchill
vs Pltff in Er
The City of Utica

Chauncey P. Williams &c
National Albany Exchange
Bank Pltff in Er
vs
Michael A. Nolan chal
and
Adam Van Allen &c
First National Bank of
Albany Pltff in Er
vs
Michael A. Nolan chal

The argument of these cases was commenced by Mr Reynolds of Counsel for the plaintiff in Error in No 288

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 1st 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Saml. Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esqui		Marshal
David Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr I. A. Reynolds, it is ordered that David S. Boss Esquire of Brooklyn, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thursday 1st February 1866. Continued.

G. Clarence Churchill
286. vs Plff in Er
The City of Utica

Chauncey P. Williams &c
National Albany Exchange
Bank - Plffs in Er
288 vs
Michael A. Nolan Exr &c
and
Adam Van Allen &c
First National Bank
of Albany
289. vs Plffs in Er
Michael A. Nolan Exr &c

in No 289.

The argument of these cases was continued by Mr Reynolds of Counsel for the Plff in error in No 288 - by Mr Keenan of counsel for the defendant in error in No 286 & by Mr Ingraham of counsel for the plaintiff in error

Proclamation being made the Court is adjourned until tomorrows morning at Eleven o'clock.

Friday February 2d 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase	Chief Justice
James M. Wayne	
Sam[l] Nelson	
Robt C. Grier	Associate
Nathan Clifford	Justices
Noah H. Swayne	
Sam[l] F. Miller	
David Davis	
Stephen J. Field	
David S. Gooding Esqr	Marshal
Daniel Wesley Middleton	Clerk.

Proclamation being made the Court is opened.

Richard S. Blackburn	Mr R. Johnson
vs Pff in Er	of counsel for the
104 Lessee of G. T. Crawford et ux	plaintiff in error
	filed an agreement

amend the record in this cause.

Thomas H. Newell, Master &c
vs Appts
Alexander Morton

Mr Carlisle of Counsel for the appellee in this cause filed a Motion that this cause be heard on the present term or that the appeal be dismissed - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Society for Savings
vs Pepps in Error
Gabriel W. Coile, Treasurer &c

Motion of Mr Chamberlain to fix day for argument of this cause filed.

The United States
vs Appls
Souza de Mendonca

Mr Merrick in behalf of Mr Bradley moved the Court for leave to Clerk to issue the Mandate in this cause - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Friday February 2d 1866. Continued

William F. Johnson & Thomas P. Ackers. Complainants and appellants
vs
Benjamin F. Carver, James Clapp & William Ruston
196

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the written motion of Mr Merrick of Counsel for the appellants stating that the matters in controversy had been agreed and settled between the parties - it is now here ordered and adjudged by this Court that the writ of error in this cause be & the same is hereby dismissed with costs

per Mr Ch: Jus: Chase.

Friday February 2d 1866, Continued

William Brobst Esq. vs The Brobst

Mr Merrick in behalf of the Board of Commissioners for the appellees called the attention of the Court to the motion filed in this cause on the 12th of January ultimo, and asked that the cause be remanded as prayed for, and filed points of Counsel on said motion.

John A. McGlynn Esq. vs Peffer Et al

Henry S. Magraw.

The arguments of the motion to dismiss this cause was commenced by Mr Wells in support of the same, continued by Mr Carlisle in opposition thereto, and concluded by Mr Black in support of the motion. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Friday February 2d 1860 Continued

J. Clarence Churchill
is Pffs in Er
286 The City of Utica

Chauncey P. Williams &c
is Pffs in Er
288 Michael A. Nolan et al
and
Adam Van Allen &c
is Pffs in Er
289 Michael A. Nolan et al

in error in Nos 288, 289.

The argument of these cases was continued by Mr Beaman of Counsel for the Plaintiff in error in No 288, and by Mr Parker of Counsel for the defendant

Proclamation being made the Court is adjourned until Monday morning at eleven oclock.

Monday February 5th 1866

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
David S. Gooding Esquire		Marshal
Danie Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Attorney General Speed, it is ordered that George Turner Esquire of San Francisco, State of California, and Perkins Bass Esquire of Chicago, State of Illinois be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr William M. Evarts, it is ordered that Edward Robinson Esquire of New York City be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

The Chief Justice announced to the Bar that the Court would hear no arguments after the 31st day of March next.

76 The Chenango Bridge Co: vs Piffs in Er / The Binghampton Bridge Co: — In error to the Supreme Court of the State of New York

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York & was processed of the record and proceedings upon a remittitur from the Court of appeals of the State of New York, and was argued by Counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of appeals in this cause be and the same is hereby reversed with costs. And it is further ordered that this cause be and the same is hereby

remanded to the Supreme Court of the State of New York, sitting in and for the County of Broome, with directions to enter judgment for the plaintiff. The Chenango Bridge Company, and for further proceedings to be had therein in conformity to the opinion of this Court

per Mr Justice Davis

dissenting

Mr Justice Grier

Ch: Jus: Chase

Mr Jus: Field

(Mr Justice Nelson was not present at the argument of this cause)

William R Longey. William B. Longey & Abner P. Longey vs Peffs in Er

43

Edward D. Murray

In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel

On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

Per Mr Justice Miller

320

125 Baskets of Champagne marked E. L. and 600 Baskets Champagne marked E. L. Eugene Kliegnot, claimant vs Plff in Er The United States

In Error to the Circuit Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel.

On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

Per Mr Justice Swayne

300 Baskets of Champagne
Marked H G & Co. R. Feuerstein
Claimant - Peffer Et
al
vs
The United States

321

In error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel - On consideration Whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr Justice Swayne

dissenting
Mr Justice Wayne
" " Clifford
" " Davis

Daniel S. Hough. Charles L. Kershaw, & Charles N. Sevens vs The Western Transportation Co:

100

Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel - On Consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Nelson

The Brig "Herald" & cargo. William Tucker, claimant on behalf of David Huntley & al. and William Williams claimant of part of the cargo. vs The United States

92

Appeal from the Circuit Court of the U States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel - On Consideration Whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

Per Mr Chief Justice Chase

319

John A. McGlynn Executor &c of D. C. Broderick, dec'd in Error
vs
Henry S. Magraw

Upon Consideration of the motion to dismiss this cause & of the arguments of Counsel thereupon had as well in support of as against the same: the Court being satisfied that it can entertain jurisdiction of the writ of error to the Supreme Court of the State of California under the 25th Section of the Judiciary act It is therefore ordered by the Court that said motion be and the same is hereby overruled.

199 The Society for Savings
as Pfftn Er
Gabriel W. Coit. Treasurer &c

The reasons for
special assign-
ment of this case
set forth in the
motion paper, do not appear to bring it within
the general rule which the Court observes
in these applications, it is therefore ordered
by the Court that said motion be and the
same is hereby overruled. The Court
will however take the case upon Submission

Per Mr Ch: Jus: Chase.

350 Ex parte: In the Matter of
Lambdin P. Milligan. Petitioner

It is now here
ordered by the
Court that this
cause be and the same is hereby set for
argument on the 1st Monday of March
next.

G. Clarence Chenehell
vs Pffs in Er
286 The City of Utica

The argument of these cases was concluded by Mr Evarts of counsel for the plaintiff in error in No 286, & submitted on printed arguments

Chauncey P. Williams &c
vs Pffs in Er
288 Michael A. Nolan dec'd
and
Adam Van Allen &c
vs Pffs in Er
289 Michael A. Nolan dec'd

by Mr C. B. Sedgwick also of counsel for the plaintiff in error in No 286.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday February 6th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
David S. Gooding Esq		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr William M. Evarts, it is ordered that John C. Bullitt Esquire of Philadelphia, State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr W. F. Allen, it is ordered that George T. Strong Esqure, of New York City, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney Genl Speed it is ordered that George M. Chilcott Esquire of Colorado Territory, be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

James T. Pendergast & Charles H. Pendergast, owners & Claimants of the Schooner "Seeing" an cargo vs Apts The United States	143	Appeal from the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland & on the written motion of Mr A. S. Ridgely of Counsel for the appellant, it is now here ordered, adjudged and decreed by this

Court that this appeal be and the same is hereby dismissed with costs.

Per Mr Ch: Jus: Chase

311 The United States
vs Pffs in Er
Robert L. Cutting et al
and
312 The United States
vs Pffs in Er
Harvey Fisk, Alfred S. Hatch

The argument of these cases was commenced by Mr Atty Gen'l Speed of Counsel for the plaintiff in error. Continued by Mr Allen, Mr Burrill & Mr Evarts of Counsel for the defendants in error & concluded by Mr Attorney General Speed for the plaintiff in error

341 The Bank for Savings in the City of New York
vs Plaintiffs
Mansell B. Field

The argument of this cause was commenced by Mr Allen of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday February 7th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase	Chief Justice
James M. Wayne	
Sam'l Nelson	
Robt C Grier	Associate
Nathan Clifford	Justices
Noah H. Swayne	
Sam'l F. Miller	
David Davis	
David S. Gooding Esquire	Marshal
Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr O. H. Browning. It is ordered that Samuel H. Fairall Esquire of Iowa City, State of Iowa be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

The Bank for Savings in the City of New York
vs Plaintiffs
341
Manuelle B. Field

The argument of this cause was continued by Mr Allen of Counsel for the plaintiffs. by Mr Ashton, Asst Attorney Genl and Mr Attorney General Speed of Counsel for the defendant and by Mr Strong for the plaintiff.

The United States
vs Appts
81
Josefa de Haro et al

It is now here ordered by the Court that the Clerk have leave to the mandate in this case forthwith.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Thursday February 8th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr J. Hubley Ashton, it is ordered that Theodore H. Oehlschlager Esquire of Philadelphia, State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Speed, it is ordered that Amos Steck Esqre of Denver, Territory of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

303 Samuel G. Wolcott
vs Pro Forma
The Des Moines Navigation and Rail Road Company

Mr Allison of counsel for the Dubuque & Sioux City R.R. Co: moved the Court for leave to intervene in this cause on behalf of said Rail Road Company - and also for leave to file a printed argument in the Case - Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

The Des Moines Navigation and Railroad Company is Pltff in Er

Calvin Burr

Mr Allison of Counsel for the Dubuque and Sioux City R.R. Co. moved the Court for leave to intervene in this cause in behalf of said Rail Road Company. and also for leave to file a printed argument in the case. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Ex parte in the Matter of William A. Bowles Petitioner

On motion of Mr Attorney General Speed, it is now here ordered by the Court that this cause be and the same is hereby set down for argument on the 1st Monday of March next with No 350 Ex parte Milligan.

Thursday February 8th 1866. Continued

The Bank for Savings in the City of New York as Plaintiffs
341 Manuel B. Field

The argument of this cause was concluded by Mr Strong of Counsel for the plaintiffs.

The United States as Plaintiffs
309 George T. Scott

This cause was submitted to the consideration of the Court on the record and printed arguments of Mr Attorney General Speed, and Mr Coffey of Counsel for the plaintiffs and by Mr Mc Donald and Mr Niblack of Counsel for the defendant.

Charles H. Walker et al as Appts
110 Western Transportation Co

The argument of this cause was commenced by Mr B. Rae of Counsel for the appellants & continued by Mr Spaulding of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday February 9th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	David S. Gooding Esquire	Marshal
	Daniel Wesley Middleton Esq	Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Robert Rae, it is ordered that James Forsyth Esquire of Troy, State of New York be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly.

John Robertson. Claimant of $4000. Specie Gold coin
273 vs Appt
The United States

On motion of Mr F. P. Stanton of counsel for the appellant it is now here ordered by the Court that the Clerk have leave to issue the mandate in this cause.

The United States
139 vs Appts
Vicente P. Gomez

Mr Cushing filed a motion and asked leave to have his appearance for the appellee in this cause stricken out. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider

John McGuire
161 vs Pltff in Er
The Commonwealth of Massachusetts

The motion to fix a day for the hearing of this cause was argued by Mr Reed, Atty Gen'l of Massachusetts in support of the same, Continued by Mr Cushing in opposition thereto and concluded by Mr Attorney General Speed in favor of the motion. Cur: adv: vult.

Thomas J. Semmes &c
vs Appl
4 Alexander Norton

The motion to fix a day for the hearing of this cause was argued by Mr Carlisle of Counsel for the appellee. Cur: adv: vult.

Louis Desobry. Peffer &c
vs
60 John Nicholson

The motion to fix a day for the hearing of this cause was argued by Mr Wills for the defendant in error. Whereupon this Court not being now sufficiently advised of and considering what order to render in the premises doth time to consider.

The Schooner Monterey & Cargo
vs Appls
144 The United States

Mr Attorney Genl Speed filed a motion to dismiss the appeal in this cause.

The United States
vs Appls
116 The Steamer Victor & Cargo
The Steamship Victor &c
vs Appls
212 The United States

Mr Larocque of Counsel for the claimants moved the Court for leave to argue these causes together, which was opposed by Mr Ashton

Whiteland Attorney General of Counsel for the appellee.
Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

	Charles H. Walker et al vs Appts The Western Transportation Company	The argument of this cause was concluded by Mr Ray of Counsel for the appellants.
110		
	Frederick E. Sickles vs Appts Bailey W. Evans	Ordered by the Court that this cause be and the same is hereby post-poned for the present.
111		

Proclamation being made the Court is adjourned until Tuesday Morning next at seven o'clock.

Tuesday February 13. 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam'l Nelson	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam'l F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion of Mr Henry Stanbery it is ordered that Louis Henry Esquire of New York City, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Michael Secrist		In error to the Circuit Court of
108	vs Pfeffer	the United States for the Northern
Silas M. Green		District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Davis

William Dehon, Exr of		Appeal from the
Theodore Dehon, deceased		District Court
Intervenor, appellant		of the United
In the case of the United States		States for the
106	vs	Northern
C. S. De Bernabe		District of
		California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of

California and was argued by Counsel. On Consideration Whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Miller.

99

Alexander McAndrew & Samuel Wann, alias &c vs Peffs in Er Isaac Thatcher, Charles D. Sanders & Samuel G. Crocker

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration Whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias

Tuesday February 13th 1866. Continued.

de novo.

Per Mr Jus: Clifford

(Mr Jus: Field did not sit in this case)

The City of Cincinnati		Appeal from the
103	as Appts	Circuit Court of the
E. D. Morgan & Co		United States for the
		Southern District of
Ohio.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by Counsel. On Consideration Whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Jus: Nelson

Azelie Saulet, Widow &c		On consideration
	as Plff in Er	of the motion of
57		
R. D. Shepherd		Mr Campbell
		of Counsel for

the defendant in error, it is now here ordered by the Court that leave be and the same is hereby granted him to suggest the death of the defendant in error in this cause, and to enter the appearances of the deceased.

	The United States	On consideration of
116	vs Appt	the motion filed in
	The Steamship Victor & Cargo	these causes and of
	and	the arguments of
	The Steamship Victor &c	counsel thereupon
212	vs Appts	had as well in
	The United States	support of as
		against the same

it is now here ordered by the Court that these causes be argued together. The motion of the Attorney General to dismiss the appeal in No. 116 is therefore denied but convenient time for preparation for argument will be given.

	John McGuire	On consideration of the
121	vs Pff in Er	motion filed in this cause
	The Commonwealth of	and of the arguments of
	Massachusetts	counsel thereupon had

to will in support of as against the same - it is now here ordered by the Court that this cause be and the same is hereby assigned for argument on Monday next the 19th instant. or if counsel prefer it may be taken up and argued immediately after the cause assigned for today.

Samuel G. Wolcott
vs Pltff in Er
303
The Des Moines Navigation and Rail Road Company

On Consideration of the Motion made & affidavit filed in this cause on the 8th instant - It is now here ordered by the Court that leave be and the same is hereby granted counsel of the Dubuque and Sioux City Railroad Co. to file and submit a printed argument in this cause at any time before the first day of March next.

The Des Moines Navigation and Railroad Company
vs Pltff in Er
221
Calvin Bunn

On Consideration of the Motion made & affidavit filed in this cause on the 8th instant

It is now here ordered by the Court that leave

be and the same is hereby granted counsel of the Dubuque and Sioux City Rail road Company to appear and be heard on the argument when this cause is reached.

The United States
vs
Peggie Ex
& Roy Jr. Wiley

279

The Chief Justice announced in answer to the suggestion addressed to the Court by Mr Larocque of counsel for the defendant in error, on Friday last the 9th instant that the order made in this cause on the 9th of January last, was intended to dispose of the motion to dismiss for want of jurisdiction as well as of the motion to dismiss on the ground of pardon since the appeal was taken. Both grounds of dismissal are postponed for consideration with the merits. The motion to put the Attorney General to his election between the prosecution of the appeal and the prosecution of an alleged proceeding against the same property and for the same cause in Illinois is denied for the want of jurisdiction of the question.

William Brobst et al
311 of Dec T. 64 vs Appls
John Brobst

On consideration of the motion of Mr Brent filed on a prior day of the present term to wit on the twelfth of January last it is now here ordered by the Court that this cause be and the same is hereby reinstated on the docket of this term, and to take the place to which would have been entitled had the order of last term not been made, and that order will be cancelled so as to apply only to the appeal without affecting the rights of the parties to a hearing on the certificate of division.

The United States
vs Appl
139
Vicente P. Gomez

On consideration of the motion filed by Mr Cushing on Friday last the 9th instant it is ordered that leave be and the same is hereby granted him to withdraw his appearance for the appellee in this cause, saving all rights to the appellant.

The Ship Chestnut & Cargo
112 vs appl
The United States

The argument of this cause was commenced by Mr Edwards of Counsel for the appellant and continued by Mr Coffey, Special Counsel for the United States.

Thomas H. Newell & c
9 vs appts
Alexander Norton

Joseph Andrews
43 vs Petitioner
Charles A. Heusler

James K. Simpson et al
51 vs Petitioner
Austin Dell et al
and
Louis Desobry
60 vs Petitioner
John Nicholson

On consideration of the motions filed to assign a day for the argument of these cases. It is now here ordered by the Court that on proof of notice by either party to the other, or to the counsel of such other party in this Court, or in the Court below if qualified as an attorney & counsellor under the existing rules the above named cases or any of them will be assigned for argument next after Ex parte: W. A. Bowles assigned for the first Monday of March next.

9. Thomas H. Newell &c vs Appts Alexander Norton

Mr Carlisle of Counsel for the appellee in this cause moved the Court for a modification of the order of the Court just announced in regard to notice to Counsel and parties. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday February 14th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam'l Nelson	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Samuel F. Miller	
	David Davis	
	Stephen J. Field	
	David S. Goodwin Esquire	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

Thomas H. Newell &c
vs appts
9 Alexander Norton

Joseph Andrews
vs Peffers
43 Charles A. Hensler

James B. Simpson et al
vs Peffers
51 Austin Dale et al
and
Louis Desobry
vs Peffers
60 John Nicholson

On consideration of the motion of Mr Carlisle of Counsel for the appellees in No 9. for a modification of the order made yesterday in respect to notice to parties and Counsel. The Chief Justice announced that the Court directs that said order be so modified that these cases or either of them will be heard at the time mentioned in said order to wit: On the first Monday of March next. after the argument in Ex: parte Bowles No 365, on proof of notice by either party to the other or to the Counsel of such other party appearing of record in this Court or to the attorney of record in the Court from which the cause is brought.

Mr Chief Justice Chase

I am obliged to express my dissent from this direction so far as it modifies the order

read yesterday. I cannot think it just to allow causes brought here from inferior courts of the United States, which have been passed without case for four successive terms to be assigned now for hearing on motion of the counsel for parties on one side without ample and direct notice to the parties on one side without ample and direct notice to the parties on the other side, or at least to their counsel in this Court or in the Court below and actually representing them at this time and qualified to practice under the existing law and rules.

The Ship Cheshire & Cargo
113 vs Appts
The United States

The argument of this cause was continued by Mr Coffey of counsel for the United States and concluded by Mr Edwards for the Appellant

The United States
113 vs Appts
Loreza Montalvo de Seriano, Widow &c

This cause was argued by Mr Wells of Counsel for the United States.

J. Edgar Thompson
vs Peffin Er
The County of Lee

114

This cause was submitted to the Court on the record & printed arguments by Mr Howell & Mr Grant of Counsel for the plaintiff in error & by Mr Allison of Counsel for the defendant in error.

Henry Whilen and
Edgar Tucker
vs Appts
The United States

115

Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and the appellants having been three times solemnly called by the Marshal to come into Court and prosecute their appeal & failing to appear. it is thereupon . . on motion of Mr Attorney General Speed of Counsel for the appellees now here ordered adjudged, and decreed by this Court that this appeal be and the same is hereby dismissed

per Mr Ch: Jus: Chase

	The United States	Ordered by the Court
116	vs appls	that this cause be and
	The Steamship Vector &	the same is hereby
	cargo.	passed for the present.

	David G. Wetmore	The argument of
117	vs appls	this cause was
	The Steamboat "Granite State"	commenced by
		Mr E. C. Benedict

of Counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow morning at Eleven o'clock.

Thursday February 15th 1866

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Goodwin Esqre		Marshal
James Wesley Thompson		Clerk

Proclamation being made the Courts opened.

On motion fud made to the Court in the behalf of by Mr George W. Dobbin, it is ordered that Nelson Poe Esquire of Baltimore, State of Maryland be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Daniel Lord, it is ordered that Daniel D. Lord Esquire of New York City, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by the Attorney General Speed, it is ordered that Richard H. Jackson Esquire of Vienna, State of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

David E. Wilmore
vs Appellant
The Steamboat Granite State

The argument of this cause was continued by Mr Owen of Counsel for the appellant & concluded by Mr Benedict of Counsel for the appellant.

Washington & Baltimore Turnpike Road Co: vs Pfeffer
The State of Maryland

118

The argument of this cause was commenced by Mr Dobbin of Counsel for the plaintiff in error and continued by Mr Nelson Poe and Mr Randall of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until to morrow morning at 10 oclock.

Friday February 16th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam'l F. Miller	
	David Davis	
	Stephen J. Field	
	David S. Gooding Esqure	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

210 James B. Townsend et al vs Peff in Er

George G. Greely

and

276 James B. Townsend et al vs Peff in Er

Caleb Burbank

The argument of the motion to dismiss these cases was commenced by Mr Stewart in support of the same. Continued by Mr Browning in opposition thereto and concluded by Mr Stewart in favor of the motion

Frederick Brewer, George Brewer Edwin Brewer, Samuel Brewer Henry Brewer, Edwin Stearnes and Maria Stearnes, his Wife vs Peff in Er	In error to the Circuit Court of the United States for the Northern District of Illinois.
267 Daniel L. Hansel	

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and on the stipulation of Counsel of the respective parties on file. It is now here on motion of Mr Carlisle of Counsel for the plaintiff in error ordered and adjudged by this Court that the writ of error be and the same is hereby dismissed with Costs.

Per Mr Ch: Jus: Chase

The United States vs Appts Steamship Victor & Cargo and The Steamship Victor & Cargo vs Appts	Mr Carlisle on behalf of Mr Larocque of Counsel for the Steamship Victor & Cargo moved the Court to set a day for the argument of these
116 212 The United States	causes. On consideration

Whereupon it is now here ordered by the Court that this cause be set for argument on the first Monday of March next immediately after the argument of the cases now before set for that day.

The United States
10. Orig.t No
The Hon: Ogden Hoffman
District Judge of the United
States for the Northern District
of California.

The motion for a prohe=
bition in the matter of
Thomas J. Reddick
Special administrator
of Wm. Griffith dec'd
Lib.t &c The Steamship
"Pacific" was argued

by Mr Carlisle in support of the same.

William Dayton et al
144. No Appeal
The United States

The argument of the motion
to dismiss this cause was
commenced by Mr Ashton
assistant Attorney General

in support of the same. Continued by Mr Bidgeley in opposition thereto and concluded by Mr Ashton in favor of the motion.

Friday February 16th 1866. Continued

John McGuire. Petitioner
vs
The Commonwealth of
Massachusetts.

161.

The motions of Mr Cushing filed this date in this cause viz:- 1st For certiorari for diminution of record 2d For leave to discontinue & dismiss the writ of Error. 3d For leave to withdraw the appearances entered for the plaintiff in error - were argued by him in support thereof and by Mr Reed, Attorney General of Massachusetts in opposition thereto - Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider

Proclamation being made the Court is adjourned until Monday morning next at 9 o'clock

Monday February 19th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Robt C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

109

The Propeller Ottawa. her tackle &c Martin Ryerson Claimant and Appellant

vs

Robert Stewart. The Pacific Mutual Insurance Co: & The Artic Insurance Company of New York.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois & was argued by counsel. On consideration Whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Jus: Clifford.

Mariano Castro
vs
The United States
} Appeal from the District Court of the United States for the Northern District of California.

302 appls

This cause came on to be heard on the Transcript of the record from the District Court of the U. States for the Northern District of California & on the Motion of Mr Atts: Gen: Speed of Counsel for the appellees to dismiss this appeal because not taken & brought into this Court in conformity with law & the same was argued by Counsel. On consideration Whereof it is now here ordered & decreed by this Court that this appeal be and the same is hereby dismissed for the want of jurisdiction.

Per Mr Ch: Jus: Chase

Joshua Barnell. Appellant
vs
334 The Propeller "Mohawk" The Western Transportation Co. Claimant.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and it appearing to the Court that no appeal has been taken in this case as required by law, it is now here on the written motion of Mr Browning of Counsel for the appellee, ordered and decreed by this Court that this cause be and the same is hereby dismissed with costs.

per Mr Ch: Jus: Chase

John McGuire. Plff in Er
vs
161 The Commonwealth of Massachusetts.

On consideration of the motions filed in this cause by Mr Cushing of Counsel for the plaintiff in error it is now here ordered by the Court that the motion for a writ of certiorari marked No 1. and the motion to discontinue the cause, marked No 2. be and

the same is hereby overruled. and the motion to withdraw the appearance of all the counsel for the plaintiff in error. Marked No 3, be and the same is hereby allowed, the Court however advised the counsel that if the appearance be withdrawn it will be the right of the defendant in error to have the plaintiff in error called, or at his option, to open the record and ask for an affirmance. and therefore the Court allow the counsel to elect whether to avail themselves of the allowance of the motion.

John McGuire Plff in Er
161 vs
Comth of Massachusetts

The counsel for the plaintiff in error having elected not to withdraw their appearance, it is now here ordered by the Court that this cause be and the same is hereby set down for argument on Monday next the 26th instant.

The United States
Original &c
The Hon: Ogden Hoffman
Judge of the United States

Motion for a Prohibition in the matter of Thomas J Reddish, Special administrator of William Griffin, deceased.

Libellant &c The Steamship Pacific.

Upon consideration of this suggestion & motion and of the argument of Mr Carlisle of Counsel in support thereof, it not appearing that any notice of the motion hath been heretofore given to the said District Court, or to the libellant. It is therefore ordered that a rule issue to the said District Judge to shew cause why the prohibition be not granted as prayed; and that the said rule be returnable on the first Monday of December next; and that further proceedings in the said District Court, upon the said libel, be stayed until the further order of this Court in the premises, provided that a copy of this order & the rule thereby granted be served upon the said District Judge and upon the proctor for said libellant sixty day before the return day of the said rule.

per Mr Ch: Jus: Chase

Ex parte In the matter of A. H. Garland of Arkansas. Petitioner

It is ordered by the Court that the matter of this petition be assigned on Friday the second day of March next.

P. Ann Youngue et al vs Peffs in Er
40 F. Gilbean

Mr Paschal, filed motion & argument of counsel & for day for the argument of this cause.

The Washington & Baltimore Turnpike Road Company vs Peffs in Er
118 The State of Maryland

The argument of this cause was concluded by Mr Dobbin of counsel for the plaintiff in error.

The United States vs Peffs
119 Lorton Holliday
and
The United States vs Peffs
134 Joseph Hass.

These cases were argued by Mr Ashton, Asst Attn: General of counsel for the plaintiff & submitted on printed arguments by Mr. Bowen of counsel for the defendant in No 119. No counsel appearing for defendant in No 134.

	Frederick Gilpeke	In error to the Circuit
120	vs Peffer Er	Court of the United States
	The County of Dubuque	for the District of Iowa

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and it appearing to the Court that no appearance of Counsel has been entered in this case, It is therefore pursuant to the 18th rule of this Court now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr Ch: Jas: Chase

	Charles M. Freeland Claits	The argument of this
	of the Barkque "Sally Magee"	cause was commenced
121	vs Appts	by Mr Daniel Lord of
	The United States	Counsel for the Appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday February 20th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase	Chief Justice
James M. Wayne	
Robert C. Grier	
Nathan Clifford	Associate
Noah H. Swayne	Justices
Sam'l F. Miller	
David Davis	
Stephen J. Field	
David S. Gooding Esqui	Marshal
Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

Bell and Grant
vs Appts
The Ohio Life Insurance and Trust Company

On motion of Mr Coffin it is now here ordered by the Court that an additional hour be granted the respective counsel for the appellee

124

Tuesday February 20th 1866. Continued

Joshua Barrell. appt
vs
The Propeller "Mohawk"

334

On motion of Mr Browning it is ordered that leave be and the same is hereby granted the Clerk to issue the mandate in this cause.

C. M. Fry & al, Clmts
Bark Sally Magee
vs Appts
The United States

121

The argument of this cause was continued by Mr Lord of counsel for the appellant, by Mr Coffey of counsel for the United States and concluded by Mr Lord for the appellant.

The Steamship "Dove" &c
vs Appts
The United States

122

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Attorney General Speed and Mr Coffey of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday February 21st 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: James M Wayne	
Robert C. Grier	
Nathan Clifford	Associate
Noah H. Swayne	Justices
Sam[l] F. Miller	
David Davis	
Stephen J. Field	
David S. Gooding Esqr	Marshal
Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

Bell & Grant
vs
The This Life Insurance and Trust Company

124 Appeal

The argument of this cause was commenced by Mr Stanbery of counsel for the appellants and continued by Mr Worthington of counsel for the appellees.

Proclamation being made the Court is adjourned until Friday morning next at eleven o'clock

Monday February 3rd 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by the Attorney General Speed, it is ordered that Henry B. Pierson Esquire of Brooklyn State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he does sworn accordingly.

Ex parte: In the Matter of A.H. Garland of Arkansas
No 6 Original. Petitioner

The Attorney General Speed moved the Court that the time fixed for the reargument of this cause be extended to this day two weeks, the 9th of March next: and that No 285 and 292 be heard at the same time and filed a letter from the Attorney General of the State of Missouri; requesting the Court to hear and decide these cases (No 285 & 292) at the present term of this Court. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

The Steamship Victor &c
212 vs appts
The United States

Mr Ashton assistant Attorney General filed a motion to dismiss the appeal in this cause.

The United States vs Appts Vicente P. Gomez

139

The argument of the motion to strike out certain parts of the record and to dismiss the appeal in this cause, was commenced by Mr Stone in favor of the same continued by Mr Goode & Mr Black in opposition thereto and concluded by Mr Cope in support of the same. Whereupon this Court not being now here sufficiently advised of & concerning what order to make in the premises took time to consider.

Bell and Grant vs Appts The Ohio Life Insurance and Trust Company

124

The argument of this cause was continued by Mr Worthington of Counsel for the Appellees.

(Mr Ch: Jus: Chase did not sit in the argument of this case)

Proclamation being made the Court is adjourned until Monday Morning at eleven o'clock

Monday February 26th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present-

The Hon: Salmon P. Chase	Ch: Justice
James M. Wayne	
Robert C. Grier	
Nathan Clifford	Associate
Noah H. Swayne	Justices
Samel F. Miller	
David Davis	
Stephen J. Field	
David S. Goodman Esqure	Marshal
Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

York Manufacturing Company	In error to the Circuit Court of the United States for the Northern
vs	District of
107 The Illinois Central Rail Road Company	Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern

Court of Illinois and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Field.

Charles H. Walker
Tracy J. Bronson William
Pelby & George C. Walker
vs Appts
The Western Transportation
Company.

Appeal from the Circuit Court of the United States for the Northern District of Illinois

110

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Miller.

40 P. Ann Commons &c vs Pltffs Es
F. Gelbean et al

On consideration of the Motion filed in this cause on the 19th ultimo. it is now here ordered by the Court that this cause be and the same is hereby assigned for hearing on Monday the fifth of March to take its order with the other cases assigned to be heard on that day after the cases of Mulligan and Bowles

60 Exparte: In the Matter of A H. Garland of Arkansas Petitioner

On consideration of the Motion of Mr Attorney General Speed made in this cause on the 23d ultimo. it is now here ordered by the Court that the reargument of this cause be and the same is hereby ordered for Friday the ninth of March next.

Alexander J. P. Garesché
vs Peff in Er
285. The State of Missouri
and
J. A. Cummings
vs Peff in Er
292 The State of Missouri

On consideration of the motion made by Our Attorney General Speed & inspection of the letter of the Attorney General of Missouri

filed in this cause on the 23d instant - it is now here ordered by the Court that these cases be and the same are hereby assigned for hearing on Friday the 9th of March next - They may be argued either with the petition of Garland or immediately after as counsel may prefer.

James B. Townsend et al
vs Peff in Er
210 George G. Greely
and
James B. Townsend et al
vs Peff in Er
276 Caleb Benbank

On consideration of the motions filed on the 6th instant to dismiss these writs of error and of the arguments of Counsel thereupon had

as well in support of as against the same, and

upon inspection of the record it appearing to the Court that the question of jurisdiction is so connected with the question of the merits, that it is impossible to decide one without the other - it is now here ordered by the Court that the question of jurisdiction be reserved for consideration upon the final hearing and that the present motions be and the same are hereby overruled

The United States
is Appt
Vicente P. Gomez

139

On consideration of the motions of Mr Gillet filed in the cause on the 9th instant viz: 1st To strike out certain parts of the Record. 2d To dismiss the appeal because not brought into this Court in conformity to the act of Congress and of the arguments of counsel thereupon had as well in support of as against the same - it is now here ordered by the Court that the said motion be and the same are hereby overruled; but the question of jurisdiction will be open upon the final hearing.

The County of Washington
vs Peff in Er
105 Clark Durant

In error to the Circuit Court of the United States for the District of Iowa

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa & was argued by counsel. and it appearing to the Court that the cause has been brought into this Court by an agreement of counsel without the allowance and service of a writ of error it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

per Mr Ch: Jus: Chase

The Steamship "Ocean" and cargo
O. T. Fallenstein Claimant of
the vessel, and Chapple, Dutton & Co:
Claimants of the Cargo
vs Appellants
122 The United States

Appeal from the District Court of the United States for the Southern District of New York.

Monday February 26th 1866. Continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said district court in this cause be and the same is hereby affirmed -

Per Mr Ch: Jus: Chase

William Dayton and Edward Servis, claimant of the Schooner Monterey & cargo		Appeal from the Circuit Court of the United States for the District of Maryland
144	vs Appts -	
The United States		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and on the motion of Mr Atto: Genl Speed of counsel for the appellees, it is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed for want of a final decree -

and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law -

per Mr Ch: Jus: Case

Samuel F. Wolcott		On motion of Mr B. C. Cook
	vs Peffin Ex	leave granted him to file
303		a printed argument in
The Des Moines Navigation		this cause by the first
& Rail Road Company		Monday of March next

Bell and Grant		The argument of this cause
	as appts	was continued by Mr
124		Coffin of Counsel for
The Ohio Life Insurance		the appellees.
and Trust Company		

(Mr Ch: Jus: Chase did not sit in the argument of this Cause)

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Tuesday February 27th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l]. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l]. F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

Bell and Grant
vs
The Ohio Life Insurance & Trust Company

124

The argument of this cause was concluded by Mr Stanbery of counsel for the appellants.

(Mr Ch: Jus: Chase & Mr Justice Nelson did not sit in the argument of this case)

Grinnell, Minturn & Co, Sturges Bennet & Co, & C. M. Fry & Co Claimants of a portion of the cargo of the Schooner Mary Clinton.

vs Appls

The United States

Appeal from the District Court of the United States for the Southern District of New York

125

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and on the motion of Mr Attorney General Speed of Counsel for the appellees and with the consent of Mr Lord of Counsel for the appellants it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed

per Mr Ch: Jus: Chase.

Samuel Hammond
240 vs Pff in Er
The Comth of Massachusetts

James McNeal
241 vs Pff in Er
The Comth of Massachusetts
and
Henry Clark
242 vs Pff in Er
The Comth of Massachusetts

By consent of the respective Counsel in these cases, it is now here ordered by the Court that these cases abide the decision in No. 161. John McGunn vs The Commonwealth of Massachusetts.

John McGunn
161 vs Pff in Er
The Comth of Massachusetts

The argument of this cause was commenced by Mr Cushing of Counsel for the Plaintiff in Error.

The United States
84 vs Pffs
Rufus B. Vassar

On motion of Mr R. Johnson Leave is hereby granted Mr Woodbury to file a printed argument in behalf of the defendant in error in this cause.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday February 28th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon. Salmon P. Chase	Chief Justice
James M. Wayne	
Sam[l] Nelson	
Robert C. Grier	Associate
Nathan Clifford	Justices
Noah H. Swayne	
Sam[l] F. Miller	
David Davis	
Stephen J. Field	
David S. Gooding Esqure	Marshal
Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr C. J. Reed, it is ordered that John A. Andrew Esqure of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

161 | John McGuire | The argument of the cause
in Error | was continued by Mr Cushing
The Commonwealth of | of Counsel for the plaintiff
Massachusetts. | in error, and by Mr Reed
Attorney General of
Massachusetts for the defendant in error and
concluded by Mr Richardson for the plaintiff
in error.

Proclamation being made the Court is adjourned
until tomorrow morning at Eleven o'Clock

Thursday March 1st 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase	Ch: Chase
Sam[l] Nelson	
Robt C. Grier	
Nathan Clifford	Associate
Noah H. Swayne	Justices
Sam[l] F. Miller	
David Davis	
Stephen J. Field	
David S. Gooding Esquire	Marshal
Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened.

127 Maria Dolores Peralta as Appellants
The United States

The argument of this cause was commenced by Mr Black of counsel for the appellant, continued by Mr Lamin and by Mr Wells of counsel for the appellee and concluded by Mr Black for the appellant.

	Lincoln Clark Piff in Er	In error to the Circuit
128	vs	Court of the United
	John P. Kerr	States for the Northern
		District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and on the motion of the Counsel of counsel for the plaintiff in error stating that the matters in controversy had been agreed and settled between the parties- it is now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed with costs

Salmon P. Ch: Jus: Chase

	Cornelius F. Buck	Ordered by the Court that
135	vs Piff in Er	these cases be and the
	Horace M. Colbath	same are hereby
	and	passed for the
	Cornelius F. Buck	present.
136	vs Piff in Er	
	Horace M. Colbath	

	Herman N. Strong	This cause was submitted
137.	vs Appl	to the consideration of
	The Schooner "Convoy"	the Court upon the record
	Fred'k T. Carrington & al	printed arguments

by Mr Hebbard of Counsel for the appellants and by Mr Gauson of counsel for the appellees.

	The Puget Sound Agricultural	Ordered by the
	Company. Pff in Error	Court that this
138	vs	cause be and
	The County of Pierce	the same is

hereby continued to the next term of this Court.

	The United States	The argument of this cause
139	vs Appls	was commenced by Mr
	Ricardo P. Gomez	Black of Counsel for the

Appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

Friday March 2d 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Ch: Justice
	Sam[l] Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esqui		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by the Attorney General Speed, it is ordered that Orlando M. Barnes Esqui of Mason State of Michigan be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Merced Mining Company vs Appt Riddle Boggs

243. The argument of the motion to dismiss this cause was commenced by Mr David Dudley Field in support thereof, continued by Mr Reverdy Johnson in opposition thereto and concluded by Mr Field in behalf of the motion.

In parte. In the Matter of Lambdin P. Milligan Petitioner

350 Mr Attorney General Speed moved the Court to dismiss this cause & filed a written motion.

Whereupon it was ordered by the Court that said motion be reversed and argued with the merits of the case.

The United States vs Appts Accounts P. Gomez

139 The argument of this case was continued by Mr Black of Counsel for the appellants by Mr Cushing and Mr Hoar of Counsel for the appellee

Proclamation being made the Court is adjourned until Monday morning at Eleven o'clock

Monday March 5th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon: Salmon P. Chase	Ch: Justice
James M Wayne	
Sam[l] Nelson	
Robert C. Grier	Associate
Nathan Clifford	Justices
Noah H Swayne	
Sam[l] F. Miller	
David Davis	
Stephen J. Field	
David S. Goodwin Esquire	Marshal
Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

On motion filed made to the Court in this behalf by Mr Jeremiah S Black. it is ordered that John R. Coffroth Esquire of Huntingdon. Jason B. Brown Esquire of Brownstown State of Indiana, and James A. Garfield Esquire of Hiram, State of Ohio be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Ship Cheshire & Cargo. Joseph Ballersby, claimant of the Ship & William Ballersby & Joseph Ballersby, claimants of the Cargo	Appeal from the Circuit Court of the United States for the Southern District of
as Appellants	
The United States	

New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr Justice Field.

J. Edgar Thompson as Pltff in Er	In error to the Circuit Court of the United States
The County of Lee	for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa and

was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr Justice Davis

(Mr Justice Miller did not sit in this case)

The United States. Plaintiffs
vs
Lorton Holliday

119

On a Certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and on the points & questions upon which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made

and provided, and was argued by Counsel - On consideration whereof it is the opinion of this Court that the first three questions must be answered in the affirmative, and the last two in the negative, excepting so much of the fourth question as relates to the point whether the Indian Oubokis was a citizen of the State of Michigan this point the Court think inadvisable and express no opinion and that it be so certified to the said Circuit Court.

per Mr Justice Miller

(Mr Justice Nelson did not sit in this case)

The United States vs Peggs & Joseph A Dass — On certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and on the points and questions upon which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of

congress in such case made and provided, and was argued by Counsell. On Consideration whereof it is the opinion of this Court that both questions in this case must be answered in the affirmative and that it be so certified to the said Circuit Court.

per Mr Justice Miller

(Mr Justice Nelson did not sit in this case)

Richard S. Blackburn

104 vs Plffs in Er

John Doe, lessee of George T. Crawford, John H. Stansbury, decd & Mary E. Stansbury, his Wife, Daniel B. Toall & S. T. Wall, his Wife P. Hall Jr & A. V. Hall, his Wife

In error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the U. States for the District of Maryland & was argued by Counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be

the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

Per Mr Jus: Swayne

Dissenting
Mr Jus: Clifford.

David Ho. Hartmans Libt & as appellant
The Steamboat United State her tackle &c. The New Haven Steamboat Company Claimants

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby remanded to the said Circuit Court with directions

to affirm the decree of the District Court with costs

per Mr Chief Justice Taney

The Washington & Baltimore Turnpike Road Company	In error to the Court of Appeals of the State of Maryland
vs Plff in Er	
118 The State of Maryland	

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland & was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of appeals in this cause be and the same is hereby affirmed with costs.

per Mr Justice Nelson.

The United States	The argument of this
vs Appts	cause was concluded
139 Vicente P. Gomez	by Mr Coxe of Counsel for the United States.

Ex parte: In the Matter of
350 L. P. Milligan. Petitioner

Ex parte: In the Matter of
365 W. A. Bowles. Petitioner

and

Ex parte: In the Matter of
376 Stephen Horsey

On consideration of the application of counsel, it is now here ordered by the Court that three hours be allowed each counsel in the argument of these cases.

That four counsel may appear and argue the cases on the part of the petitioners; and the Attorney General, and two associates for the United States in opposition to the petitioners.

Ex parte: In the Matter of
350 L. P. Milligan. Petitioner

Ex parte: In the Matter of
365 W. A. Bowles. Petitioner

and

Ex parte: In the Matter of
376 Stephen Horsey. Petitioner

The argument of these cases was commenced by Mr. McDonald of Counsel for the petitioners.

Monday March 5th 1866. Continued

Proclamation being made the Court is adjourned until tomorrow morning at 9 oclock A.

Tuesday March 6th 1866

Pursuant to adjournment the Court met this morning at the Capitol

Present-

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Dance Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Speed, it is ordered that Luke P. Poland Esquire of St Johnsbury, State of Vermont be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr O. H. Browning, it is ordered that Harvey B. Hurd Esqure of Chicago, State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. O. Howe, it is ordered that Edwin D. Markham Esqure, of Manitowoc, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of
350 L. P. Milligan. Petitioner

Ex parte: In the Matter of
365 W. A. Bowles. Petitioner

and

Ex parte: In the matter of
376 Stephen Horsey.

The argument of these cases was continued by Mr McDonald, Mr Garfield and Mr Black in favor of the petitioners.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday March 7th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present-

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esqure		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. S. Black, it is ordered that William Davis Esqure of Lexington State of Kentucky and Thomas L. Dilley Esqure of Indianola State of Iowa be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Speed, it is ordered that Ralph Hill Esquire of Columbus, State of Indiana, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

The Manchester Paint Works as Plffs in Er
vs
Walter Aiken

In error to the Circuit Court of the United States for the District of New Hampshire.

336

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Hampshire, and on the motion of Mr Clark of counsel for the plaintiff in error, stating that the matters in controversy had been agreed and settled between the parties, it is now here ordered & adjudged by this Court that this writ of error be & the same is hereby dismissed with costs.

per Mr Ch: Jus: Chase

Schooner Josephine &c
vs appls
70 The United States

Schooner Elmira Cornelius &c
vs appls
75 The United States

Ship Admiral &c
vs appls
87 The United States
and
The Brig Herald &c
vs appls
92 The United States

On motion of Mr Attorney General Speed it is now here ordered by the Court that the Clerk have leave to issue the mandates in these cases during the present Term.

Ex parte: In the Matter of
360 L. P. Milligan.
Petitioner

Ex parte: In the Matter of
365 Wm. A. Bowles.
Petitioner
and
Ex parte: In the Matter of
376 Stephen Horsey.
Petitioner

The argument of these cases was continued by Mr Black in behalf of the petitioners - and by Mr B. F. Butler in opposition to the same.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday March 8th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam'l. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam'l F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon David Dudley Field, it is ordered that Geo. P. Strong Esquire, of St Louis, State of Missouri be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion Said Motion to the Court in the behalf by Mr Beverly Johnson, it is ordered that Joseph C. Clayton Esquire of Washington City District of Columbia, Joseph Daniels, and Ira B. Hyde Esquires of St Paul, State of Minnesota be admitted to practice as attorneys and counsellors of this Court and they were Sworn accordingly.

Ex parte: In the matter of
350 C. P. Milligan - Petitioner

Ex parte: In the matter of
365 W. A. Bowles. Petitioner
and
Ex: parte: In the matter of
376 Stephen Horsey. Petitioner

The argument of these cases was continued by Mr B. F. Butler & Mr. Henry Stanbery in opposition to the petitioners

Proclamation being made the Court is adjourned until tomorrow Morning at eleven o'clock.

Monday March 9th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present-

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
	David J. Gooding Esquire	Marshal
	Daniel Wesley Middleton	Clerk

Proclamation being made the Court is opened

On Motion first made to the Court in this behalf by Mr O. H. Browning, it is ordered that J. M. Henderson Esquire of Louisiana, State of Missouri, and Mason Bayman Esquire of Springfield, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly

154 Charles H. Daniels &c vs Pltff
The Chicago & Rock Island R. R. Co: Deft

Mr Hurd of Counsel for the plaintiff with the consent of the Court of Counsel for the defendant moved the Court for leave to submit this cause to the consideration of the Court on printed arguments of the respective Counsel Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

38 The United States vs Pltff in Er
Jeremiah G. Dashiell et al
and
39 The United States Appts vs
H. Alesbury's adm'r

Mr Paschal filed a motion to dismiss these cases & moved the Court to fix next Friday for the argument of the same - Whereupon it is now here ordered by the Court that said motion be & the same is hereby set down for argument on Friday next the 16th instant

	Ellen E. White, admx of Charles White, dec'd	The Motion to set aside
174.	of Dec. Term 1863. vs Appl	and annul the decree
	The United States	entered in this cause &
		to reinstate the same
		on the docket of this

term, was submitted to the consideration of the Court on a printed argument of Mr Stewart Mr Attorney General Speed declined to argue the motion or reply to the argument of Mr Stewart.

	Ex parte: In the Matter of	The argument of
350	L. P. Milligan. Petitioner	these cases was
		continued by Mr
	Ex parte: In the Matter of	Stanbery and by
365	W. H. Bowles. Petitioner	Mr Attorney
	and	General Speed
	Ex parte: In the Matter of	in opposition
376	Stephen Horsey.	to the petitioners

Proclamation being made the Court is adjourned until Monday Morning at Eleven o'clock

Monday March 13th 1865.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Goodwyn Esqre		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

Order of Court

Amendment to the 20th Rule -

Ordered. That the first paragraph of the twentieth rule of this Court be amended so as to read as follows:

In all cases brought here on appeal, writ of error or otherwise, the Court will receive printed arguments without regard

to the number of the case on the docket, of the counsel on both sides shall choose so to submit the same within the first sixty days of the term: but twenty copies of the arguments signed by attorneys or counsellors of this Court, must be first filed, ten of those copies for the Court, two for the reporter, three to be retained by the Clerk, & the residue for counsel.

137 | Herman Norton Strong vs Appts A certain Quantity of Wheat late the Cargo of the Schooner "Convoy" Frederick J. Carrington & Wm J. Preston Claimants. | Appeal from the Circuit Court of the United States for the N. District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the U. States for the Northern District of New York & was argued by Counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit in this cause be & the same is hereby affirmed with costs.

Per Mr Jus: Miller

Charles M. Fry. Overton M Price & Chapman & Leigh, on behalf of themselves and of Charles Coleman & others Claimants of the Cargo of the Bark "Sally Magee" vs Appts The United States		Appeal from the District Court of the United States for the Southern District of New York.

121

This Cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York and was argued by Counsel. On Consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Justice Swayne.

The Bank for Savings in the City of New York vs Plffs. Manuscle B. Fiedl		On Certificate of division in opinion between the Judges of the Circuit Court of the U. States for the Southern District of New York.

341

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the points and questions upon which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided; & was argued by Counsel. On consideration whereof, it is the opinion of this Court that the third, fourth & fifth questions must be answered in the affirmative. No answers will be certified to the first two questions because those given to the others are sufficient to dispose of the cause. and that it be so certified to the said Circuit Court.

Per Mr Jus: Clifford

Dissentiens

Mr Jus: Grier

Mr Jus: Nelson

(Mr Jus. Field did not sit in this cause)

Edwin Haigh, Claimant of Steamship Bermuda, her tackle. apparel &c
vs Appellants
64 The United States

Appeal from the District Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania. and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Ch: Jus: Chase

Alexander Y. Blakely Claimant of Part of Cargo of Steamship "Bermuda"
vs Appellants
65 The United States.

Appeal from the District Court of the United States for the Eastern District of Pennsylvania.

This Cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was argued by Counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Chief Justice Chase

Frazer Trenholm & Co: Claimants of Part of Cargo of Steamship Bermuda. Appellants vs The United States

Appeal from the District Court of the United States for the Eastern District of Pennsylvania.

66

This Cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel. On Consideration whereof it is now here ordered

adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Ch: Jus: Chase

Theodore I. Campau, Dennis I. Campau & Alexander I. Campau jointly with James I. Campau, now dec'd vs Peffs in Er

348

George T. Lewis. Daniel I Campau, Catherine D. Palms Matilda Chapaton, Elizabeth Brown. Louisa B. Johnson

In error to the Supreme Court of the State of Michigan

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Michigan and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that this writ of error be and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch: Jus: Chase

154 Charles N. Daniels &c
vs Peffs
The Chicago & Rock Island
R. R. Co:

On consideration of the motion made in this cause on the 9th instant, it is now here ordered by the Court that the leave prayed for be, and the same is hereby granted counsel to submit this cause on printed arguments.

350 Ex parte: L. P. Milligan - Petitioner
365 Ex parte: W. A. Bowles - Petitioner
376 Ex parte: Stephen Horsey - Petitioner

The arguments of these cases was continued by Mr Attorney Gen: Speed in opposition to the petitioners and by Mr David Dudley Field in support of the same.

154 Charles N. Daniels &c
vs Peff
The Chicago & Rock Island
R. R. Co:

By leave granted this cause was submitted to the consideration of the Court on printed arguments by Mr Nurd of counsel for the plaintiff & by Mr Cook of Counsel for the defendant.

303 Samuel G. Wolcott vs Pltffs Err The Des Moines Navigation & Rail Road Company

It is now here ordered by the Court that this cause be and the same is hereby continued to the next Term of this Court, with leave to any of the parties to file additional arguments.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday March 13th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion duly made to the Court in this behalf by Mr David Dudley Field, it is ordered that E. P. Lowry Esquire of New York City State of New York, be admitted to practice as an attorney and counsellor and he was sworn accordingly.

350 Ex parte: L. P. McElligan - Petitioner

365 Ex parte: W. A. Bowles - Petitioner

376 Ex parte: Stephen Horsey - Petitioner

The argument of these cases was concluded by Mr David Dudley Field in support of the petitioners.

Ex parte: In the Matter of
609 Eq A. H. Garland - Petitioner
and
Ex parte: In the Matter of
Robert H. Marr - Petitioner

The argument of these cases was commenced by Mr Marr the petitioner in No 8.

Proclamation being made the Court is adjourned until tomorrow morning at 12 oclock

Wednesday March 14th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

6 Org[l] Ex parte: In the Matter of A. H. Garland. Petitioner

and

8 Org[l] Ex parte: In the Matter of Rob[t] H. Marr. Petitioner

The argument of these cases was continued by Mr Marr the petitioner in No 8. by Mr Stanbery & Mr Attorney General Speed in opposition to the petitioners and by Mr Reverdy Johnson in support of the petitioners.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

Thursday March 15th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	
	Nathan Clifford	Associate
	Noah H. Swayne	Justices
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

Bell & Grant
vs
The Ohio Life Insurance & Trust Company et al.

124 appeal

The Court having had under its consideration the trial of this cause do order & direct the case be argued on the second Monday of the ensuing Term December next.

The State of Maryland ex rel Thos Anderson vs Peffin Ex John Th. Baker et al 362

Mr Johnson filed motion to have this cause assigned for argument during the present Term of this Court Whereupon this Court not being now sufficiently advised of & concerning what order to render in the premises took time to consider.

Ex parte: In the Matter of A. H. Garland. Petitioner. and Ex parte: In the Matter of Robert H. Marr. Petitioner 2 Org. 8 Org.

The argument of these cases was concluded by Mr Reverdy Johnson in support of the petitions.

Alexander L. P. Garesché vs Peffin Ex The State of Missouri and J. R. Cummings vs Peffin Ex The State of Missouri 285 292

The argument of these cases was commenced by Mr. David Dudley Field of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday March 16th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by the Attorney General Speed, it is now here ordered that A. M. Stout Esquire of Louisville State of Kentucky and H. L. Burnett Esquire of Cincinnati State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

	Charles D. Semple	Mr Wells filed motion to
284	vs Pff in Er	dismiss this writ of error
	George Hazer	for the want of jurisdiction

	The United States	
38	vs Pff's in Er	The argument of the
	Jeremiah J. Dashiell & c	motion to dismiss
	and	these cases, was
	The United States appts	commenced by Mr
39	vs	Paschal in support
	H. Allsbury's adm[r]	of the same.

	Hannibal Green	The motion filed this
	vs Pff's in Er	date for a supersedeas
	M. S. Van Buskirk & al	and stay of execution
	and	in these cases was
	I. M. Warren & al	argued by Mr
	vs Pff's in Er	Parker in support
	M. S Van Buskirk & al	thereof and by Mr
		Gale in opposition

to the same. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Alexander J. P. Garesché
vs Peffin Ex
285 The State of Missouri
and
J. A. Cummings
vs Peffin Ex
292 The State of Missouri

The argument of these cases was continued by Mr Strong of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday morning at 9 oclock.

Monday March 19th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon James M. Carlisle, it is ordered that F. M. Crosby Esquire of Hastings, State of Minnesota be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

309

The United States vs Peffs
George T. Scott

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Indiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and on the point or question upon which the Judges of the said Circuit Court were opposed in opinion, and which was certified to this Court for its opinion agreeably to the act of Congress in such case made & provided and was argued by Counsel. On Consideration whereof it is the opinion of this Court that the question certified must be answered in the negative - Whereupon it is now here ordered, adjudged and decreed by this Court that it be so certified to the said Circuit Court.

Per Mr Justice Miller

152

The United States
vs Plaintiffs
Susan Murphy, Mary
Mitchell and Mary Gray

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and on the points and questions upon which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made & provided and was argued by Counsel. On consideration whereof it is the opinion of this Court that the first question certified must be answered in the affirmative, and the second in the negative.

Whereupon it is now here ordered, adjudged and decreed by this Court that it be so certified to the said Circuit Court.

per Mr Justice Miller.

139 The United States vs Appts Decedo P. Gomez — Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by Counsel — On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the claimant.

per Mr Justice Clifford.

113 The United States, Appts vs Jose fa Montalvo de Soriano Widow &c — Ordered by the Court that this cause be and the same is hereby heard under advisement and continued to the next Term of this Court.

Ellen E. White. admx of Charles White, decd
174 of Dec T. 1863. No appls
The United States

On consideration of the motion to open & reargue this cause it is now here ordered by the Court that said motion be and the same is hereby overruled.

The State of Maryland
ex rel. Thomas Anderson
362 No Pff in Er
John W. Baker et al

Mr Brady & Johnson of Counsel for the plaintiff in error moved the Court for leave to submit this cause on printed arguments, to which Mr Randall of Counsel for the defendant in error assented. Whereupon Mr Chief Justice Chase replied, that the Court would take the cause under consideration with the Missouri cases Nos 288, 292. now under argument, provided the points were similar, but if this cause contained other & different questions, it would not be considered but continued to the next Term.

Alexander J. P. Garesché
vs Peff in Er
285 The State of Missouri
and
J. A. Cummings
vs Peff in Er
292 The State of Missouri
in error.

The argument of these cases was continued by Mr Henderson of Counsel for the defendant in error and by Mr Reverdy Johnson of Counsel for the plaintiffs

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oclock

Tuesday March 20th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Chief Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field.	
David S. Gooding Esqui		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

285 Alexander P. Garesché vs Pff in Er
The State of Missouri
and
292 J. A. Cummings vs Pff in Er
The State of Missouri

The argument of these causes was concluded by Mr Reverdy Johnson & Counsel for the plaintiffs in error.

9 Thomas H. Mercer &c vs Alexander Morton appl

The argument of this cause was commenced by Mr J. H. Ashton of counsel for the appellants and continued by Mr McPherson of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday March 21st 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] C. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

9. Thomas H. Newell &c vs Appts / Alexander Norton

The argument of this cause was continued by Mr McPherson and Mr Carlisle of counsel for the appellee and concluded by Mr James Speed of counsel for the appellant.

P. Ann Youngue et al vs Peff in Er
F. Gilbeau et al

This cause was submitted to the consideration of the Court on the record and printed argument by Mr B. Johnson of counsel for the plaintiff in error and the argument commenced by Mr Paschal of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday March 22d 1866

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esqure		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On Motion first made to the Court in this behalf by Mr Caleb Cushing, it is ordered that John B. Elwood Esquire of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Reverdy Johnson it is ordered that George W. P. Smith Esquire of Baltimore, State of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The State of Maryland
Ex rel: Thomas Anderson
vs Pegg in Er
362
John W. Baker chal

Mr Johnson of counsel for the plaintiff in error asked leave of the Court to withdraw his motion for leave to submit this cause on printed arguments which was granted.

The State of Maryland
Ex rel: Thomas Anderson
vs Pegg in Er
362
John W. Baker chal

On consideration of the motion of Mr Brent of counsel for the plaintiff in error for leave to argue orally this cause at this term, it is now here ordered by the Court that said motion be and the same is hereby overruled.

40	P. Ann Youngue et al pffs in Er vs F. Gilbeau et al	The argument of this cause was concluded by Mr Paschal of counsel for the defendant in error.
51	James K. Simpson et al pffs in Er vs Austin Dale et al	The argument of this cause was commenced by Mr Maynard of counsel for the plaintiffs in error, continued by Mr Browning of counsel for the defendant in error and concluded by Mr Maynard for the plaintiff in error.
60	Louis Desoby pff in Er vs John Nicholson	This cause was submitted to the consideration of the Court on the record and printed argument by Mr Bobbin of counsel for the plaintiff in error, and argued by Mr Wells of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday March 23d 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hons:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam'l Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam'l F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by the Attorney General Speed, it is ordered that Isaac J. Post Esquire of Montrose State of Pennsylvania and Hasbert E. Paine Esquire of Milwaukee, State of Wisconsin be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr I. Hubley Ashton - it is ordered that Aaron I. Vanderpoel Esquire of New York City, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James M. Carlisle, it is ordered that Washington L. Bladen Esquire of Philadelphia State of Pennsylvania, be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

The Steamer Grey Jacket &c vs The United States

Mr attorney General Speed filed motion and moves the Court to fix a day for the

162 appl

argument of this cause - Whereupon this Court not being now fully sufficiently advised of and concerning what order to render in the premises took time to consider.

The Steamer Grey Jacket &c
vs Appl
The United States

Mr B. F. Butler of
Counsel for the
appellants filed
Motion & asked

162

leave of the Court for Timothy Meaher, Claimant to file additional answer to the matter heretofore answered and alleged in this cause. Whereupon this Court not being now here sufficiently advised of & concerning What order to render in the premises took time to consider.

Thomas H. Newell
vs Pefft in Er
Richard Nixon

Mr Johnson of Counsel
for the plaintiff in Error
having suggested the
death of Richard Nixon

10

the defendant in error in this cause, moved the Court for an order under the 15th rule of Court to make the proper representatives parties. On consideration Whereof it is now here ordered by this Court that unless the proper representatives of the said Richard Nixon as aforesaid shall voluntarily become parties within the first ten days of the ensuing term of this Court the plaintiff in error shall be entitled to open the record in said cause, and to have the same heard

and the judgment therein rendered reversed & erroneous - Provided that a copy of this order shall be printed in some newspaper at the seat of Government, in which the laws of the United States shall be printed by authority, for three successive weeks, at least sixty days before the beginning of the Term of the Supreme Court next ensuing.

	The Union Manufacturing Company - appts	Stipulation of Counsel to continue
148	vs	this cause to the
	John D. Saunsbury et al	next Term of
		this Court, filed -

	The United States	The argument of the
	vs Peffer	Motion to dismiss
38	Jeremiah V. Dashiell et al	these cases was
	and	Continued by Mr
	The United States	Attorney General
	vs appts	Speed of Counsel
39	N. Allsbury's adm[x]	for the United
		States & Concluded

by Mr Paschal of Counsel for the defendants and appellees.

The United States
vs Appls
164 José Francisco Armijo et al
and
A. P. Jackson et al
Intervenors - Appls
vs
256 José Francisco Armijo et al

The argument of the motion to dismiss these cases was commenced by Mr Carlisle of counsel for the appellees continued by Mr Wells in opposition thereto and concluded by Mr Carlisle in favor of the motion.

The United States
vs Appls
116 The Steamer Victor &c
and
The Steamer Victor &c
vs Appls
212 The United States

The argument of these cases (being cross appeals) was commenced by Mr Larocque of counsel for the Claimants of the Steamer Victor.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday March 26th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

Hon.	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] C. Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Caleb Cushing, it is ordered that William E. P. Smyth, Esquire of Boston, State of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr William M Stewart, it is ordered that Charles H. S. Williams Esquire of New York City, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

127 Maria Teodora Peralta
vs Appellant
The United States.

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Mr Justice Davis

Charles H. Daniels who sues by his next friend Amos H. Thompson
154. vs Pltff
The Chicago & Rock Island Rail Road Co:

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the points & questions upon which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law. Per Mr Jus: Swayne

The United States
vs
Robt. L. Cutting. Robt
L. Cutting Jr & James D. W.
Cutting

In error to the
Circuit Court
of the United
States for the
Southern
District of
New York.

311

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby reversed. and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr Justice Grier

The United States
vs
Harvey Fisk &
Alfred Smith

In error to the Circuit
Court of the United States
for the Southern
District of New York

312

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr Justice Grier

John McGuire
as Pltff in Er
The Commonwealth
of Massachusetts

161

In Error to the Superior Court of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts & was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Nelson

240. Samuel Hammond otherwise called Barney Hogan, otherwise called Leonard Hammond vs The Commonwealth of Massachusetts — In error to the Superior Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be and the same is hereby affirmed with costs.

Per Jno. Nelson

241 James McNeal. In error to the Superior Court of the State of Massachusetts. vs Pffin Er The Commonwealth of Massachusetts

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts and

was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Superior Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Nelson

Henry Clark
vs Writ of Error to the Superior
242 The Commonwealth Court of the State of
of Massachusetts Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts & was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Superior Court in this cause be & the same is hereby affirmed with costs.

Per Mr Justice Nelson

G. Clarence Churchill, impleaded
with Edward S. Brayton, William
D. Walcott, John L. Foote, &
Morris S. Miller, Trustees &c
as Plaintiffs in Error
The City of Utica

In Error to the Court of appeals of the State of New York.

286

This cause came on to be heard on the transcript of the record from the Court of appeals of the State of New York & was argued by counsel. On consideration whereof it is now hereordered and adjudged by this by this Court that the judgment of the said Court of appeals in this cause be and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Court of appeals with directions to enter judgment for the plaintiffs in error with costs

Per Mr Justice Nelson

dissenting Mr Ch. Jus: Chase
" " Wayne
" " Swayne

Chauncey P. Williams
In behalf of himself
& all other Stockholders
in the National Albany
Exchange Bank
vs Pltff in Er
Michael A. Nolan, Thomas
Nolan & John Smith, as the
Board of assessors of the
City of Albany.

In Error to the
Court of appeals
of the State
of New York.

288

This cause came on to be heard on the transcript of the record from the Court of appeals of the State of New York & was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of appeals in this cause be & the same is hereby reversed with costs, & that this cause be & the same is hereby remanded to the said Court of appeals with directions to enter judgment for the plaintiff in error with costs

per Mr Jus: Nelson

Dissenting Mr Ch: Jus: Chase
" " Wayne
" " Swayne

Adam Van Allen, in behalf of himself & all other Stockholders in the First National Bank of Albany. Pltff in Er

vs

Michael A. Nolan, Thomas Nolan, and John Smith, as the Board of Assessors of the City of Albany.

In error to the Court of appeals of the State of New York.

289

This cause came on to be heard on the transcript of the record from the Court of appeals of the State of New York and was argued by counsel - On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Court of appeals in this cause be & the same is hereby reversed with costs, & that this cause be and the same is hereby remanded to the said Court of appeals with directions to enter judgment for the plaintiff in error with costs -

Per Mr Justice Nelson

Dissenting Mr Ch. Justice Chase

" " Wayne

" " Swayne

The Schooner "Stephen Hart" &c & cargo, John Meyer Harris, Claimant of the Vessel, and Samuel Isaac and Saul Isaac, Claimants of the cargo	Appeal from the District Court of the United States for the Southern District of New York
126. vs Appts The United States	

This cause came on to be heard on the Transcript of the record from the District Court of the United States for the Southern District of New York and was argued by Counsel - On Consideration Whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Mr Ch: Jus: Chase

	The Steamer "Grey Jacket" &c	On consideration of
162	vs Appl	the motion of Mr
	The United States	Allo Gen. Speed
		made on the 23 inst

to fix a day for the argument of this cause it is now here ordered by the Court that said motion be and the same is hereby denied.

	The Steamer "Grey Jacket" &c	Ordered by the
162	vs	Court that the
	The United States	motion filed by
		Mr B. F. Butler

on the 23d inst for leave to Timothy Meaher claimant to file additional answer, be & the same is hereby continued to the next term of this Court.

	Hannibal Green	On consideration of the
	vs Petn'r &c	motions filed in these cases
	M. S. Van Buskirk &c	on the 16th inst for a supersedeas
	and	& stay of execution & of the
	L. M. Warren &c	arguments of Counsel thereupon
	vs Petn'rs in Er	had - it is now here ordered by the
	M. S. Van Buskirk	Court that said motions be & the same
		are hereby granted.

84 The United States Plffs vs Rufus B. Cassar
129 The United States Appts vs Samuel Schuneman
130 The United States appts vs Thomas Green
131 The United States Appts vs John Beatty
132 The United States Appts vs John Scholly
133 The United States Appts vs Frank Bowen

Ordered by the Court that these cases be and the same are hereby continued to the next Term of this Court

The United States
as Appts
116 The Steamer Victor &c
and
The Steamer Victor &c
as Appts
212 The United States

The argument of these cases was continued by Mr Lasaegue of Counsel for the Claimants of the Steamer Victor &c concluded by Mr Ashton, Assistant Atty Genl of Counsel for the United States.

The Steamship Victor & Cargo
John J. Pearce, Master & Claimt
212 vs Appt
The United States

Appeal from the District Court of the U. States for the Southern District of Florida

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Florida and on the motion of Mr Attorney General Speed of Counsel for the appellees to dismiss this appeal and the arguments of Counsel thereupon had, it is now here ordered adjudged & decreed by this Court that this appeal be and the same is hereby dismissed for the want of jurisdiction.

Per Mr Ch: Jus: Chase

Cornelius F. Buck
pl's in Err
135
Horace M. Cobb
and
Cornelius F. Buck
pl's in Err
136
Horace M. Cobb

The argument of these cases was commenced by Mr Peckham of Counsel for the plaintiff in Error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Tuesday March 27th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robert C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Charles H. S. Williams Jr it is ordered that Henry Greenfield Esquire of New York City, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

Lawrence G. Graham dec'd
150 vs Appts
The La Crosse & Milwaukee R.R. Co.
and
The Milwaukee & Minnesota R.R. Co.
151 vs Appts
Selah Chamberlain

Mr Carpenter of Counsel for the appellants moved the Court for leave to occupy the same time in the argument of these cases together, as would be allowed them if argued separately. Whereupon this Court not being now fully advised of and concerning what order to render in the premises took time to consider.

Cornelius F. Buck
135 vs Peff in Er
Horace N. Colbath
and
Cornelius F. Buck
136 vs Peff in Er
Horace N. Colbath

The argument of these cases was continued by Mr Peckham of Counsel for the plaintiff in Error

The Court did not decide further argument in these causes,

Tuesday March 27th 1866. Continued

140 William J. Brown - Plff in Er
vs
Wm C. Parkington et al

This cause was submitted to the consideration of the Court on the record and printed argument by Mr G. M. Lee of Counsel for the plaintiff in error, and argued by Mr Eames of Counsel for the defendant in error

141 James G. Barrows
vs Plff in Er
Granville L. Kendred

This cause was submitted to the consideration of the Court on the record & printed argument by Mr Grinsham of counsel for the plaintiff in Error, and argued by Mr Browning of Counsel for the defendant in Error.

Dawn Knight claimt
64 vs appt
The United States

Alexander T. Blakeley claimt &c
65 vs appt
The United States
and
Fraser Trenholm & Co
66 vs appts
The United States

On motion of Mr Coffey.
Ordered by the Court that leave be & the same is hereby granted the Clerk to issue the Mandates in these cases.

The Officers & Crew of the United States Iron Clad "Wechawken" &c
142 vs appts
The Steamer Atlanta

This cause was argued by Mr Reverdy Johnson of counsel for the appellants - No counsel appearing for the appellee

Thos H. Duvall claimt &c
145 vs Petn in Er
The United States

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr Price

of counsel for the plaintiff in error and by Mr Attorney General Speed and Mr Ashton of counsel for the defendant in error

147 G. P. Denny et al vs The Milwaukee & Superior Railroad Company. Appts. Ordered by the Court that this cause be and the same is hereby continued to the next Term of this Court per stipulation of Counsel filed.

148 The Union Manufacturing Co. vs John D. Lounsbury et al Appts. Ordered by the Court that this cause be & the same is hereby continued to the next Term of this Court per stipulation of Counsel filed.

149 The Milwaukee & Minnesota R. R. Co. vs Charles Howard. Appts. The argument by this Court was commenced by Mr Carpenter of counsel for the appellants, continued by Mr Cary of counsel for the appellee & concluded by Mr Carpenter of counsel for the appellants.

Tuesday March 27th 1866. Continued

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday March 28th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Ch Justice
	James M. Wayne	
	Saml. Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Saml. F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esqui		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion filed made to the Court in this behalf by Mr James M. Carlisle, it is ordered that William S. Paddock Esqui of Albany State of New York & Frank Hereford Esqui of Virginia, State of Nevada be admitted to practice as attorneys & Counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Caleb Cushing it is ordered that W. C. Johnson Esquire of Oregon City, State of Oregon be admitted to practice as an Attorney and and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr John W. Cary, it is ordered that James A. Mallary Esquire, of Milwaukee, State of Wisconsin be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Lawrence G. Graham use
vs Appls
The Rock Island & Milwaukee
R. R. Co: et al.

and

The Milwaukee & Minnesota
R. R. Co. Appls

150 vs

151 Selah Chamberlain

The argument of this cause was commenced by Mr Carpenter of Counsel for the Appellants & continued by Mr Cary of Counsel for the Appellee

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clock A.

Thursday March 29th 1866

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James M. Carlisle it is ordered that Fletcher P. Cuppy Esquire of Dayton, State of Ohio, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly

On Motion first made to the Court in this behalf by Mr R. P. Spaulding it is ordered that Wilbur F. Sanders Esquire of Virginia City, Territory of Montana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

The New Orleans, Opelousas & Great Western R. R. Co
vs
T. S. Lindsay & Co.

37

Mr Carlisle of Counsel for the plaintiff in error having filed & read in open Court a suggestion of a diminution of the record in this case in the words & figures following, Viz:-

That it appears by the transcript filed in this Court that the plaintiffs below sued upon a certain written Contract between them & the defendants below upon which said written Contract the said suit depended in whole or in part, and which said Contract is material to be considered upon this writ of error. But the said written Contract no where appears in or by the transcript how filed the same having been apparently omitted thro' accident or inadvertence. By reason of which

omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the Eastern District of Louisiana commanding them that searching the records & proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found. On consideration whereof it is now here ordered & decreed by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court commanding them that searching the records & proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions & errors shall be found in this cause & return the same with the said writ of certiorari to this Court.

Per Mr Ch: Jus: Chase

Lawrence G. Graham Esqr
150 as Appt
The La Crosse & Milwaukee
R. R. Co: et al
&
The Milwaukee & Minnesota
R. R. Co: Appts
151 as
Selah Chamberlain
appellants.

The argument of
this case was
continued by
Mr Carlisle
of Counsel
for the appellees
& concluded by
Mr Cushing
of Counsel
for the

Proclamation being made the Court is adjourned
until Tuesday Evening next at one o'clock.

Tuesday April 3d 1866.

Pursuant to adjournment the Court met this evening at the Capitol

Present

The Hon:	Salmon P. Chase	Ch: Justice
	James M. Wayne	
	Sam[l] Nelson	
	Robt C. Grier	Associate
	Nathan Clifford	Justices
	Noah H. Swayne	
	Sam[l] F. Miller	
	David Davis	
	Stephen J. Field	
David S. Gooding Esquire		Marshal
Daniel Wesley Middleton		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr O. H. Browning it is ordered that Jesse O. Norton Esquire of Joliet, State of Illinois be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Jeremiah S. Black, it is ordered that

Robert L. Atkinson Esqre of Carrollton, State of Ohio be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

On motion of Mr made to the Court in his behalf by Mr Thomas Wilson, it is ordered that B. F. Fisher Esqre, of Doylestown, State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court & he was sworn accordingly.

Order of Court

Ordered. That the several causes brought into this Court by Writs of error or appeals from the Circuit & District Court for the several Districts within the States declared to be in Rebellion by the Proclamation of the President of the United States dated August 16th 1861. be called and disposed at the next Term of this Court under the rules thereof, and in regular order as they may stand upon the docket.

And the Clerk is directed to cause a copy of the order to be published in three daily papers of the City of Washington.

Order of Court

Regulations prescribed by the Supreme Court of the United States under which appeals may be taken from the Court of Claims to said Supreme Court.

Rule 1.

In all cases hereafter decided in the Court of Claims in which by the act of Congress, such appeals are allowable, they shall be heard in the Supreme Court upon the following record & none other.

1. A transcript of the pleadings in the case of the final judgment or decree of the Court, & of such interlocutory orders, rulings, judgments, & decrees as may be necessary to a proper review of the case.

2. A finding of the facts in the case by said Court of Claims, and the conclusions of law on said facts on which the Court founds its judgment or decree.

The finding of the facts & the conclusions of law to be stated separately and certified to this Court as part of the record.

The facts so found are to be the ultimate facts or propositions which the evidence shall establish in the nature of a special

Verdict, and not the evidence on which those ultimate facts are founded (See Burr & Del Norris Co: 2 Wallace, 102)

Rule 2.

In all cases in which judgments or decrees have heretofore been rendered, where either party is by law entitled to an appeal, the party desiring it shall make application to the Court of Claims by petition for the allowance of such appeal. Said petition shall contain a distinct Specification of the errors alleged to have been committed by said Court in its rulings judgment, or decree in the case. The Court shall, if the specification of alleged error be correctly and accurately stated, certify the same, or may certify such alterations & modifications of the points decided and alleged for error as, in the judgment of said Court, shall distinctly & fully present the points decided by the Court. This, with the transcript mentioned in Rule 1, (except the statement of facts and law therein mentioned) shall constitute the record on which those cases shall be heard in the Supreme Court.

Rule 3.

In all cases an order of allowance of appeal by the Court of Claims or the Chief Justice thereof in vacation, is essential, and the limitation of time for granting such appeal shall cease to run from the time an application is made for the allowance of appeal.

Priscilla Ann Duffield (now Priscilla Ann Tounque and her husband James Tounque

vs Plaintiffs in Error

40

Francis Gilbeau, John James, Gustavus West Conception B. Callahan, Widow of Bryan Callahan deceased, F. F. Prichard, Eleanor Elliott, William Elliott, John Elliott and the Trustees of the Presbyterian Church to wit: Asa Mitchell, Franklin L. Paschal, John S. McClelland and Samuel G. Newton.

In Error to the District Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the U. States for the Western District of Texas and was argued by Counsel - On

consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court with directions to award a venire facias de novo.

Per Mr Justice Field.

142 The Officers and Crew of the United States Iron Clad Weehawken &c John Rodgers Commanding &c Appellants

The Steamer Atlanta

Appeal from the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts and was argued by Counsel. On consideration whereof it is ordered adjudged & decreed by this Court that the decree of the said District Court in this cause be & the same is hereby affirmed. And it is further ordered, adjudged and decreed by this Court that the appeal of Wm L. Hodge, Special Agent & Attorney of the Captors

from the decree disallowing his claim for compensation be and the same is hereby dismissed

per Mr Justice Field.

James K. Simpson, Robert Simpson, James Scriver, William Simpson, James M. Duff & William H. Reynolds vs Peffs in Er

61

Austin Dale, Joseph E. Dale and Daniel P. Gibson

In error to the Circuit Court of the United States for the E District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be & the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

per Mr Justice Davis

Cornelius K. Buck
vs Piff in Er
Horace N. Colbath

In error to the Supreme Court of the State of Minnesota.

139

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota & was argued by Counsel - On Consideration Whereof it is now here, ordered and adjudged by this Court that the judgment of the said Supreme Court of the State of Minnesota in this cause be and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

- per Mr Justice Miller -

Cornelius K. Buck
vs Piff in Er
Horace N. Colbath

In error to the Supreme Court of the State of Minnesota

136

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota and was argued by Counsel

On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of the State of Minnesota in this cause be and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Minnesota.

Per Mr Justice Miller

Adams Executor &c. In error to the Circuit Court
vs of the United States for
John Nicholson the Eastern District of
Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana - and was argued by Counsel

On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of

Louisiana.

per Mr Justice Swayne

John H. Duvall, claimant of a lot of goods & chattles consisting of Machinery &c
145 vs Peffer & Ex
The United States

In error to the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed

per Mr Justice Swayne

The United States
38 vs Peffer Ex
Jeremiah G. Dashiell &c
and
The United States
39 vs Peffer Ex
H. Allsbury's adm^x

Upon consideration of the motions of Mr Paschal to dismiss these cases it is now here ordered by the Court that said motions be & the same are

Unanimously overruled.

per Mr Justice Clifford

dissenting Mr Justice Grier.

Thomas H. Newell, Master and the said Thomas H. Newell as Claimants of the Steamboat "H. B. W. Hill" &c appellants

vs

Alexander Norton

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

9

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana & was argued by counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments and decrees bear in the courts of the State of Louisiana

per Mr Justice Grier

William J. Brown - Pffn Er

140 vs

William C. Larkington
Ransom W. Akin. James
Hughes. Joseph N. Howe
Joseph E. Goff. William
N. Akin. N. W. Springer
Milton Haugh. & Francis
M. Akin.

In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana & was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Nelson

The Milwaukee & Minnesota Railroad Company

149 vs Appellants

Charles Howard

Appeal from the Circuit Court of the United States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by counsel. On consideration whereof it is now hereordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch: Jus: Chase

Lawrence G. Graham and Donald M. Scott, Compt and Appellants
vs
The La Crosse & Milwaukee Rail Road Co: & Selah Chamberlain

150

Appeal from the Circuit Court of the United States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by counsel. On consideration whereof it is now hereordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

per Mr Ch: Jus: Chase

The Milwaukee & Minnesota Rail Road Co: Compt & Appts
151 vs
Selah Chamberlain

Appeal from the Circuit Court of the United States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by Counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Ch: Jus: Chase

The United States. Libelts
182 vs Appts
The Schooner Mandoline & Cargo.

Appeal from the District Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the Transcript of the record from the District

Court of the United States for the Eastern District of Louisiana, and on the written motion of the Attorney General Speed of Counsel for the appellants it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

per Mr Ch: Just: Chase

The United States		Appeal from the District
	vs Appls	Court of the United
185		States for the Northern
The Mayor & Common		District of California
Council of the City of		
San Jose		

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and on the written stipulation of the Counsel for the respective parties - it is now here on the motion of Mr Coffey of Counsel for the appellees ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed.
And it is further ordered, adjudged & decreed that the claim of the Mayor & Common Council

of the City of San Jose the claimants to the land included within the ancient limits of the Pueblo of San Jose be confirmed to said claimants or their legal representatives according to the ancient boundaries of said Pueblo, as ascertained by the orders and decrees of the former government of California the Maps and surveys in evidence and the testimony of the witnesses in the case as set forth in the transcript of the proceedings sent to this Court.

It is further, ordered, adjudged and decreed by this Court that the boundaries of the said claim being the same with those of the former Pueblo of San Jose shall be ascertained and surveyed as follows. Beginning at a point in the woods at a live oak tree in the dividing line between said Pueblo and what was formerly known as the lands of the Mission of San José and if said tree is gone where the same was in March 1838. running thence a South East course which passes through the Mountains which are called Las Bueltas, Pala San Felipe Los Animas and Agua de Las Lagas to a monument of Stone erected in March 1838. and having reference to all the land marks

on this line & to the Monument of Stone in the middle of the Pala. this line is in length seven and one half leagues and its Southern termination the South East corner of the ancient limits of the said Pueblo and of the land hereby confirmed to the claimants - Then commencing again at the point first mentioned being the said live oak tree at its former situation and running a line from the North East, by East to Southwest by West to the embarcaderos of the Guadalupe to the last live oak which is seen on the Bank of the River Guadalupe or where the same was in March 1838. being two leagues & eight hundred varas for the length of this line and the same passing near the house formerly occupied by José Noguera and distant from it four hundred and ten varas, the house being on the Northerly side of this line. Thence up the river Guadalupe to its source, and thence running with a line corresponding with the course of said river as near as may be & which is nearly from South East to North West & having reference to monuments of Stone formerly placed on this line the last of which and the termination of this line was placed on the apex of a

Little hill which is at the foot of the mountain called "Parago de los Capitan Cellas" including part of the oak grove now or formerly at this place & including all the well and stone now or formerly at the source of the said river Thence from said point at the foot of said mountain "de los Capitan Cellas" to the Creek called, Las Llagas at or near its source & at such point as will make the distance from where said line strikes said Creek to the South Eastern point before ascertained the same length as the distance from the starting point in the Survey to the embarcadero, that is two leagues eight hundred varas, thence from said point East ascertained to the South Eastern corner of the said tract before ascertained In making the Survey & ascertaining the preceding lines, reference will be had to the Survey & map of the boundaries of said Pueblo, made by the Commissioners Castro Gaenaga, and Salvio Pacheco, in March 1838, and to the Survey of Joseph Argueles under date of the twenty fourth day of July 1801, signed also by the Fray Martin de Landeta and José Miguel Osuna &

to the documents and depositions in the cause as to the ancient boundaries of said Pueblo of San Jose

Subject to the following deductions namely the Ranchos Las Milpitas, Rincon de los Esteros, Pala Yerba, Buena Canada de Pala San Felipe de Las Animas Laguna Seca, Santa Teresa, San Juan Bautista, Los Capitancillos, San Vicente, Las Uvas, Ojo Agua de la Coche, San Francisco de Los Llagas, and also such other parcels of land as have been by grants from lawful authority vested in private proprietorship and have been finally confirmed to parties claiming under said grants by the tribunals of the United States or shall hereafter be finally confirmed to parties claiming thereunder by said tribunals in proceedings now pending therein for that purpose all of which said excepted parcels of land are included in whole or in part within the boundaries above mentioned but not excluded from the confirmation to the Mayor & Common Council of the City of San Jose. This confirmation is in Trust for the benefit of the Lot holders under grants from the Pueblo, Town or City

of San Luis, or other competent authority, and to any resident in trust for the use and benefit of the inhabitants of the City.

per Mr Ch: Jus: Chase

The United States

116 vs Appts. Appeal from the
The Steamer Victor & cargo District Court of
John I. Pearce, Claimant the United States
of the vessel, and Helbery & Co for the Southern
& E Heymann & bro Claimants District of
of the Cargo. Florida

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Florida and was argued by Counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Ch: Jus: Chase

The Merced Mining Co vs Fossa & Biddle Boggs — In error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California & was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed for the want of jurisdiction.

Per Mr Ch. Jus. Chase

Ex parte de Haro et al vs The United States — Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and on the motion of Mr Black of Counsel for the appellants and with the consent of the Attorney General Speed of Counsel for the appellees. it is now here

ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed without prejudice to appellants right to take a new appeal.

Per Mr Ch: Jus: Chase

Ex parte: In the matter of Lambdin P. Milligan Petitioner

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana. and on the points & questions on which the said judges of the Circuit Court were opposed in opinion & which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by Counsel - On Consideration whereof this Court is of opinion.

1. That on the facts as stated in said petition and exhibits a writ of Habeas Corpus ought

to be issued according to the prayer of the said petitioner.

III - That on the facts stated in the said petition and exhibits the said Lambdin P. Milligan ought to be discharged from custody as in said petition is prayed. and according to the act of Congress passed 3d March 1863 entitled "an act relating to Habeas Corpus and regulating judicial proceedings in certain cases"

IIII - That on the facts stated in said petition and exhibits the Military Commission mentioned therein had no jurisdiction legally to try and sentence said Lambdin P. Milligan in the manner and form as in said petitions & exhibits are stated

And it is thereupon now here ordered and adjudged by this Court, that it be so certified to the said Circuit Court.

per Jno Ch: Jus: Chase

Ex parte: In the matter of William A. Bowles Petitioner

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Indiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana: and on the points and questions on which the said Judges of the Circuit Court were opposed in opinion: and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided: and was argued by Counsel. On consideration whereof this Court is of opinion.

I. That on the facts as stated in said petition & exhibits, a writ of Habeas Corpus ought to be issued according to the prayer of the said petitioner.

II. That on the facts stated in the said petition and exhibits, the said William A. Bowles ought to be discharged from custody as in said petition is prayed. and according to the act of Congress passed 3d March 1863, entitled "an act relating to Habeas Corpus & regulating judicial proceedings in certain cases".

III. That, on the facts stated in said petition & exhibits the Military Commission mentioned therein had no jurisdiction legally to try & sentence said William A. Bowles in the

manner and form as in said petition and exhibits are stated.
And it is thereupon now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr Chief Justice Chase

Ex parte. In the Matter of Stephen Horsey Petitioner

376

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and on the points & questions on which the said Judges of the Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made & provided: and was argued by counsel.
On consideration whereof this Court is of opinion — II — That on the facts as stated

in said petition, and exhibits, a writ of Habeas Corpus ought to be issued according to the prayer of the said petitioner.

III. That on the facts stated in the said petition and exhibits the said Stephen Horsey ought to be discharged from custody as in said petition is prayed — and according to the act of Congress passed 3d March 1863. entitled "an act relating to Habeas Corpus and regulating judicial proceedings in certain cases."

IIII. That on the facts stated in said petition and exhibits the Military Commission mentioned therein had no jurisdiction legally to try and sentence said Stephen Horsey in the manner & form as in said petition & exhibits are stated.

And it is thereupon now here ordered and adjudged by this Court, that it be so certified to the said Circuit Court

per Curiam Ch: Jus: Chase

James Conway. Petitioner In Error to the

382 vs Superior Court

Commonwealth of Massachusetts of the Commonwealth

of Massachusetts.

This cause came on to be heard on the Transcript of the record from the Superior Court of the Commonwealth of Massachusetts, & on the written stipulations of the Counsel for the respective parties it is now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch: Jus: Chase

William Sheehan - Piff in Er		In error to the
383	vs	Superior
Commonwealth of Massachusetts		Court of the
		Commonwealth

of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the Commonwealth of Massachusetts, & on the written stipulations of the Counsel for the respective parties - it is now here ordered & adjudged by this Court that the writ of error be & the same is hereby dismissed for the want of jurisdiction.

per Mr Ch: Jus: Chase

384 William Sheehan Piffin Er vs Commonwealth of Massachusetts — In Error to the Supreme Court of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Massachusetts, and on the written stipulations of the counsel for the respective parties. it is now here ordered and adjudged by this Court that this writ of error be & the same is hereby dismissed for the want of jurisdiction.

per Mr Ch: Jus Chase.

385 William Sheehan Piffin Er vs Commonwealth of Massachusetts — In Error to the Supreme Court of the Commonwealth of Massachusetts

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Massachusetts, and on the written stipulations of the counsel for the respective parties. it is now here ordered

and adjudged by this Court that this writ of error be and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch: Jus: Chase

386 William Sheehan Pfff in Er vs Commonwealth of Massachusetts — In error to the Supreme Court of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Massachusetts, and on the written stipulations of the counsel for the respective parties. It is now here ordered & adjudged by this Court that this writ of error be and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch: Jus: Chase

387 William Sheehan Pfff in Erra vs Commonwealth of Massachusetts — In error to the Supreme Court of the Commonwealth of Massachusetts

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Massachusetts & on the written stipulations of the Counsel for the respective parties. it is now here ordered & adjudged by this Court that this writ of error be and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch: Jus: Chase

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Patrick Gillon - Plff in Er
vs
Commonwealth of Massachusetts

In error to the Supreme Court of the Commonwealth of Massachusetts

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Massachusetts, and on the written stipulations of the Counsel for the respective parties - it is now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch: Jus: Chase

Patrick Gillan, Plff in Error
vs
Commonwealth of Massachusetts

389

In error to the Supreme Court of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Massachusetts, and on the written stipulations of the Counsel for the respective parties. It is now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed for the want of jurisdiction.

per Mr Ch: Jus: Chase

The United States
vs Appts
Jose Francisco Arrejo et al
and
A. P. Jackson, Philip Palmer et al - Intervenors &c
vs Appts
Jose Francisco Arrejo et al

164

256

On consideration of the motion filed by Mr Carlisle to dismiss these appeals & of the arguments of Counsel thereupon had as well as for as against

the same, it is now here ordered by the Court that said motions be, and the same are hereby overruled.

Corg.[e]	Ex parte: In the Matter of A. H. Garland &c Petitioner and	Ordered by the Court that these cases be heed under advisement
80 Corg.[e]	Ex parte: In the Matter of B. H. Thaw - Petitioner	and continued to the next term of this Court.
	The Bank Springbock &c	Ordered by the
83.	vs Appls	Court that this
	The United States	cause be heed under advisement & continued to the next term of this Court
	James G. Barrows	Ordered by the Court
141	vs Plff in Er	that this cause be and
	Granville A. Kindred	the same is hereby

Continued to the next term of this Court under advisement.

Tuesday April 3d 1866. Continued

	Alexander J. P. Garesché	Ordered by the
285	vs Pff in Error	Court that these
	The State of Missouri	cases be held
	and	under advisement
	J. A. Cummings	& continued to
292	vs Pff in Er	the next term
	The State of Missouri	of this Court

It is now here ordered by the Court that all the cases on the Docket not decided, and all the other business of the Term not disposed of by the Court, be and the same are hereby continued over to the next Term of this Court.

Proclamation being made the Court is adjourned to the time & place appointed by Law.

Minutes
of the
Supreme Court U.S.
December Term
1866.—

At the Capitol of the United States in the City of Washington and District of Columbia, being the present seat of the National Government of the United States on the first Monday of December (being the third day of the same month) in the year of our Lord one thousand Eight hundred and Sixty Six, and of the Independence of the United States of America the ninety-first, the Supreme Court of the United States met according to law.

PRESENT

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David S. Gooding Esquire Marshal

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

Mr. Chief Justice Chase announced to the bar that the Court would commence the call of the docket to-morrow under the 26th rule.

Appointment of Crier.

It is now here ordered by the Court that William H. Short Esquire of the State of Pennsylvania, be, and he is hereby appointed the Crier of this Court, with all the rights, privileges, and emoluments thereunto by law belonging.

On motion first made to the Court in this behalf by Mr. James Grant it is ordered that James D. Templin Esquire of Iowa City, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Proclamation being made, the Court is adjourned until to-morrow morning at eleven o'clock.

Tuesday December 4th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David S. Gording Esquire, Marshal
Daniel Wiley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Thomas J Durant it is ordered that S. F. Huff Esquire of Washington City D. C. be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James M. Carlisle it is ordered that James Hughes Esquire of Bloomington, State of Indiana and Frank Turk Esquire of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The Honorable Henry Stanbery appeared and produced the following Letters Patent, which were read in open court and ordered by the court to be recorded on the minutes of this court in the following words viz:

Andrew Johnson

President of the United States of America

To all who shall see these presents, Greeting

Know Ye: That reposing special trust and confidence in the patriotism, Integrity and Abilities of Henry Stanbery, I have nominated and by and with the advice and consent of the Senate, do appoint him to be Attorney General of the United States; and do authorize and empower him to execute and fulfil the duties of that office

according to law, and to have and to hold the said office, with all the rights, privileges and emoluments to the same of right appertaining unto him the said Henry Stanbery during the pleasure of the President of the United States for the time being.

In testimony whereof I have caused these Letters to be made Patent and the Seal of the United States to be hereunto affixed.

Seal.

Given under my hand at the City of Washington, the twenty-third day of July in the year of our Lord one thousand eight hundred and sixty six and of the Independence of the United States of America the ninety-first.

By the President Andrew Johnson

Wm. H. Seward

Secretary of State.

9	Thomas Nourse vs. Pltff in Error Richard Sivon	The death of the defendant in Error having been suggested.

It is now, on motion of Mr. Davis, of counsel for John Sivon Jr. the administrator of Richard Sivon dec'd. Ordered by the Court that the said John Sivon Jr. Exr &c. be and he is hereby made a party defendant to this suit.

1	The United States vs. Pltff in Error George N. Stewart	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Attorney General Stanbery of counsel for the plaintiff in error and by Mr. Stewart, the defendant in error.

2	The United States vs. Pltff in Error Charles Le Barron	This cause was submitted to the consideration of the court on the record and printed argument by Mr Attorney

General Stanbery of counsel for the Plaintiffs in Error.

	The United States	This cause was
3	vs Plffs in Error	submitted to the
	Samuel Mc Masters	consideration of
	Richard A Stewart	the court on the
		record and print-

ed arguments by Mr Attorney General Stanbery of counsel for the Plaintiffs in Error and by Mr Jamin of counsel for the defendants in Error.

	William Walker &al.	This cause was
4	vs: Plffs in Error	submitted to the
	The United States	consideration of
		the court on the

record and a printed argument by Mr Attorney General Stanbery of counsel for the defendants in Error.

Mr Attorney General Stanbery also filed a motion to dismiss the writ of Error in this cause for the want of jurisdiction.

5	David M. Hughes vs. Appl The United States	This cause was submitted to the consideration of the court by Mr. Cary of counsel for the appellants and by Mr Attorney General Stanbery of counsel for the appellees on the record and printed arguments.

6	Maria Sofia Cavazos vs. Diff in Error Maine Treasurer & Thomas Pearce vs. Diff in Error Randall G. Higgins	Ordered by the court that these cases be, and the same are hereby continued to the next term of this court

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8	Jasper Strong vs. Diff in Error The United States	On motion of Mr. Attorney General Stanbery ordered by the court that this cause be, and the same is hereby continued to the next term of this court.

Tuesday December 11th 1866, continued

9	Thomas H. Nixon vs. Pltff in Error Richard Nixon	This cause was argued by Mr. Conway Johnson & counsel for the plaintiff in Error and by Mr. Janin for the defendant in Error.

10.	The Southern Steam-Ship Company of New Orleans vs. Pltff in Error The Masters, Wardens & Com. Port of New Orleans.	On motion of Mr. Durant. Ordered by the Court that this cause be and the same is hereby continued to the next term of this court.

Proclamation being made the court is adjourned until to-morrow morning at eleven o'clock.

Wednesday December 5th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
} Associate Justices

David S. Gooding Esquire, Marshal
Daniel Wiley Middleton, Clerk.

Proclamation being made the court is opened

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11 Joseph Ortman vs. Hayes Harvey Baldwin

Ordered by the Court that this cause be, and the same is hereby passed for the present.

12	Millan Lane vs. Aff in Error William Robertson use of Thos. C. Ferguson	On motion of Mr Adams of counsel for the plaintiff in error.

Ordered by the Court that this cause be, and the same is hereby continued to the next term of this court.

13	John L. Broome vs. Aff in Error Philip C. Tucker Jr. Adm. of Henry Sheldon dec'd	On motion of Mr Adams of counsel for the plaintiff in Error

Ordered by the Court that this cause be, and the same is hereby continued to the next term of this court.

14	Hudson Bangs & al vs. Appls Blue Ridge Railroad Co.	Ordered by the Court that this cause be and the same is hereby

continued to the next term of this court.

15	Henry Sturday et al. vs. Pltfs Benjamin F. Fackenway & Samuel Dickens	This cause was submitted to the consideration of the Court on the record and printed argument by Mr Carlisle of counsel for the defendants.

16	Henry M. Kealer vs. Plff in Error Mary W. W. Ashley Ex & of Chas. Ashley dec'd et al	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Bradley of counsel for the plaintiff in error and by Mr Carlisle of counsel for the defendants in Error.

17	John L. Mitchell vs. Pltfs in Error Estate of Vincent de St. Marcant et al	This cause was argued by Mr. Kennedy Johnson of counsel for the plaintiff in error and by Mr Carlisle and Mr McPherson for the defendants in Error.

20.	Walter O. Robinson vs. Plff in Error Lewis Aldridge	On motion of Mr. Black of counsel for the defendant in Error. Ordered by the Court that this cause be and the same is hereby continued to the next term of this court.

21	Jacob Thompson &c vs. Plff in Error Drury W. Bowman	By consent of counsel. Ordered by the Court that this cause be and the same is hereby continued to the next term of this court.

18	Calvin M. Rutherford vs. Plff John & Robert Geddes &c	This cause was submitted to the consideration of the Court by Mr. Kennedy Johnson of counsel for the appellants and by Mr. Fannin for the appellee.

19	Simon Medina vs. Plff in Error Maria Estabanazadal	Ordered by the Court that this cause be and

the same is hereby passed for the present

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Thursday December 6th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Miller
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David S. Gooding Esquire Marshal
Daniel Wolley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr James M. Carlisle it is ordered that Lansing B. Mizner Esquire of Bonecia State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Matt. H. Carpenter, it is ordered that George B. Smith Esquire of Madison, State of Wisconsin be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr Kennedy Johnson it is ordered that Thomas L. Bowden Esquire of Williamsburg, State of West Virginia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

99	William Christy vs. Pltff in Error Wm H. Driggens Admr.	Mr Thomas Ewing Jr. of counsel for the Plaintiff in Error in this

cause now here suggests the death of William Christy the Plaintiff in Error and moves the Court for leave to enter the appearance of George William Christy the Testamentary Executor of the said

William Christy deceased, with liberty to prosecute this writ of Error. On consideration whereof it is now here ordered by the court that the appearance of the said Geo. Wm Christy Exct. as aforesaid be entered as the plaintiff in Error and that the said appellee be and he is hereby made the plaintiff in Error in this cause

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	George William Christy Exct. of Wm Christy dcd.	The argument of this cause was commenced by
22	vs. Plff in Error	Mr. T. Ewing Jr.
	Riley H. Bridges & Adams	of counsel for the plaintiff in Error

continued by Mr. Adams for the defendant in Error and concluded by Mr. Ewing for the plaintiff in Error.

	William M. Cook dcd	Ordered by the
23	vs. Plff in Error	Court that this
	Albert T. Burnley & al	cause be and

the same is hereby passed for the present, on motion

of Mr Merriman

	Emanuel Myers	Ordered by the Court
911	vs. Plff in Error	that this cause be
	The Commonwealth of Pennsylvania	and the same is hereby continued to

the next term of this court.

	Ambrose Lanfear	The argument of
95	vs. Plff in Error	this cause was
	H. L. Hawley	commenced by Mr.

Dick of counsel for the plaintiff in Error and continued by Mr Lamin and Mr Riddle of counsel for the defendant in error.

	The United States	
1	vs. A[illegible]	Mr Johnson of counsel
	George N. Stewart	by leave of the Court
	&	filed printed argu-
	The United States	ment in these cases.
2	vs. Plff in Error	
	Charles Le Barron	

221	Martin Murphy Jr. et al vs. Matilda C. Gray & Franklin C. Gray	In Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and, on the motion of Mr. Carlisle in behalf of counsel stating that the matters in controversy in this cause had been agreed and settled between the parties, as per written Stipulation on file, it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of California.

per Mr. Ch. Jus. Chase

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Friday December 7th 1866.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David S. Gording Esquire Marshal

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

David S. Gording Esquire, appeared and produced the following Letters Patent which were read in open court and ordered by the court to be recorded, on the minutes of this court in the following words, viz:

Andrew Johnson
President of the United States of America
To all who shall see these presents.
Greeting: Know Ye. That reposing
special trust and confidence in the
Integrity, Ability and Diligence
of David S. Gooding of Indiana,
I have nominated, and by and
with the advice and consent of the
Senate do appoint him Marshal of the
United States in and for the District
of Columbia, and do authorize and
empower him to execute and fulfil
the duties of that Office according to
law. And to have and to hold
the said office with all the powers,
privileges and emoluments to the
same of right appertaining, unto him
the said David S. Gooding for the
term of four years from the day of
the date hereof, unless the President
of the United States for the time
being shall be pleased sooner to
revoke and determine this com-
mission.

{ Seal. }

In testimony whereof I have caused these Letters to be made Patent and the Seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington the fifteenth day of January in the year of our Lord one thousand Eight hundred and sixty six, and of the Independence of the United States of America the ninety first.

By the President Andrew Johnson

W. Hunter

Acting Secretary of State.

On motion first made to the Court in this behalf by Mr. Kennedy Johnson it is ordered that Henry C. Dane Esquire of New Orleans, State of Louisiana be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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On motion first made to the court in this behalf by Mr Montgomery Blair, it is ordered that William Dorsheimer Esquire of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr James M Carlisle it is ordered that Samuel J Clark Jr Esquire of San Francisco, State of California, and George Sewall Esquire of Boston, State of Massachusetts be admitted to practice as attorneys and counsellors of this court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Stewart, it is ordered that Lewis M Bunson Esquire of Helena Territory of Montana be admitted to practice as an attorney and counsellor of this court and he

and sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Grant, it is ordered that George T. Boal Esquire of Iowa City, State of Iowa, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr Jeremiah S. Black it is ordered that D. W. Manchester Esquire of New York City, State of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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66 | The United States vs. Alfd Ex parte A. M. de Fremont | Mr Hartman files motion and affidavit of the Court to enter his appearance as counsel and file a brief for the appellee. C.A.V.

The People of New York ex rel. C. Davis
301 vs Plffs in Error
Commissioners of Taxes &c

On motion of Mr Sillimans of counsel for the plaintiffs in Error in this case it is now ordered by the Court that this cause be and the same is hereby set down for argument on Wednesday the 19th instant.

The People of New York ex rel.
D. McKenney Plffs in Error
302 vs
Commissioners of Taxes &c.

The People of New York ex rel.
A. A. Low Plff in Error
303 vs.
Commissioners of Taxes
&
The People of New York ex rel.
P. H. Boyd and al Plffs in Error
304 vs.
Commissioners of Taxes &c.

The People of New York ex rel.
J. Bodine Plff in Error
305 vs.
Commissioners of Taxes &c.

On motion of Mr. Evarts of-

The People of New York &c rel.
F. A. Palmer Plff in Error
306 vs.
Commissioners of Taxes &c.

The People of New York &c rel.
L. Mead, Plff in Error
307 vs.
Commissioners of Taxes &c.

The People of New York &c rel.
H. J. Beers Plff in Error
308 vs.
Commissioners of Taxes &c.

The People of New York &c rel.
J. E. Williams, Plff in Error
309 vs.
Commissioners of Taxes &c

The People of New York &c rel.
O. Dows Plff in Error
310 vs
Commissioners of Taxes &c.

Counsel for the Plaintiffs in Error in these cases it is now here ordered by the Court that these cases be and they are hereby set down for

311 The People of New York ex rel W. J. Kitchen Plff in Error vs Commissioners of Taxes

argument on Wednesday the 19th instant.

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355 The United States vs. Plff William Craft

&

336 The United States vs. Plff William Craft

On motion of the Attorney General Stanbery of counsel for the plaintiffs it is now here ordered by the Court that these cause be and the same are hereby set down for argument on Wednesday the 19th instant, after No. 301 &c.

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337 The Merchants Insurance Company Appellee vs. James K. Fisher

On motion of the Attorney General Stanbery it is now here ordered by the Court that this cause be and the same is hereby set down for argument on Wednesday the 19th instant after the conclusion of the arguments in Nos. 355 & 356

Friday December 4th 1863, continued

	Mary Brian et al	Mr Carlisle of
231	vs: Writ of Error	counsel for the
	William P. Force	defendant in Er-
		ror filed a mo-

tion to dismiss this cause.

	Antonia Francisca Forman	Mr Attorney Gen-
180	vs: Appeal	eral Stanbery filed
	The United States	a motion to dis-
		miss this cause

	The United States	Mr. Attorney Gener-
86	vs: Appeal	al Stanbery of counsel
	Jose Francisco Arrejo et al	for the appellants

moved the court to postpone this cause until reached, and that it be argued with No 163, when the latter cause is reached in the regular call of the docket. Whereupon this Court, not being now sufficiently advised concerning what order to render in the premises took time to consider.

Friday December 7th 1866. continued

Trustees of Methodist Episcopal Church vs. Patrick H. Rootes	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Grant and Mr. J. Cook of counsel for the Plaintiffs in Error and by Mr Fairfax and Mr Tompkins for the Defendant in Error. And also on a motion to dismiss for the want of Jurisdiction.

186.

The Commonwealth of Virginia vs. The State of West Virginia	Mr. Thomas R. Bowden, Attorney General of the Commonwealth of Virginia filed motion and asked

Orig.

leave to file bill in Equity in this cause. Whereupon this court not being now fully sufficiently advised of and concerning what order to make in the premises took time to consider.

Friday December 7th 1866, continued

	Ambrose Lanier's	The argument of
325	vs. Pltff in Error	this cause was con-
	H. L. Gentry	tinued by Mr. Ca-
		dle of counsel for

the Defendant in Error and concluded by Mr. Blair of counsel for the Plaintiff in Error.

	The Milwaukee & Mississippi	On motion of
	Railroad Company	Mr. Keyes of coun-
333	vs. Appt	sel for the appel-
	C. Soulby, Survivor &c.	lees in these cases
	&	it is now here
	Richard Fleming	ordered by the
334	vs. Appt	Court that the
	C. Soulby, Survivor &c.	motions filed

in these cases be and the same are hereby set down for argument on Friday the 14th instant.

	John Cowden, Lloyd G.	In Error to the Cir-
	Brinkley, Christopher H.	cuit Court of the
	and James Perkins	United States for
	vs. Pltff in Error	the District of
	Elijah Cheek and	West Tennessee
	George W. Cheek	

Friday December 7th 1866, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Tennessee, and it appearing to the Court from Inspection on file that the matters in controversy in this cause have been agreed and settled between the parties. It is now ordered and adjudged by this Court that this writ of Error be and the same is hereby dismissed with costs.

per Mr. Ch. Jus. Chase.

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27 Edmund McGehee
vs. Plff in Error
M K P. Mathis Sheriff &c

28 John J. Jackson
vs. Plff in Error
M K P. Mathis Sheriff &c

29 James S. Montgomery
vs. Plff in Error
M. K. P. Mathis &c

The causes were argued by Mr. Recordy Johnson of counsel for the Plaintiffs

30 William E. Bowling vs. Plff in Error M. K. P. Mathis &c

31 James H. Wilson vs. Plff in Error M. K. P. Mathis &c.

32 Charles C. McDermott vs. Plff in Error M. K. P. Mathis &c.

33 Charles McDermott vs. Plff in Error M. K. P. Mathis &c

in Error and submitted on the record and printed argument of S. H. Hempstead now deceased filed in the case on the 28th of February 1861, on behalf of the defendant in Error.

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34 Samuel Wilson vs. Plff in Error Thomas Wallace

Ordered by the Court that this cause be and the same is hereby continued to the next term of this court

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Friday December 7th 1866 continued

The Milwaukee & Minnesota R. R. Co. Petitioners
vs
The Judges of the Circuit Court U. S. for the District of Wisconsin

On motion of Mr. Carpenter (by Mr. Keyes) of counsel for the petitioners it is now here ordered by the Court that this petition be and the same is hereby set for argument on Friday next the 14th instant.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday December 10th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Samuel R. Wayne	Associate Justices
Samuel Nelson	
Nathan Clifford	
Noah H. Swayne	
Samuel F. Miller	
David Davis	
Stephen Field	

David S. Gooding Esquire, Marshal

Daniel Walker Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Jamesell Carlisle it is ordered that Charles F. Peck Esquire of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Monday December 10th 1866 continued

59	Alfred Ingraham &c vs: Iliff in Error Thomas Gill &c. In Error &c	On motion of Mr. Bradley, ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

Ex parte	Ex parte in the matter of John Dugan, Petitioner	On motion of Mr Bradley of counsel for the petitioners Ordered by the Court
Ex parte	Ex parte in the matter of C. V. Dugan Petitioner	

that petitions in these cases be and the same are hereby dismissed at the cost of the petitioners.

35	John Johns et al vs: The Union Bank of Florida	Ordered by the Court that this cause be and the same is hereby continued to the next term of this court.

36	The New Orleans, Opelousas & Great Western R.R. Co. vs. Plffs in Error H. D. Lindsay & Co.	The argument of this cause was commenced by Mr. McPherson of counsel for the plaintiffs in Error continued by Mr. Janin for the defendants in Error and concluded by Mr. Curtiss for the plaintiffs in Error.

37	The United States vs. Plffs in Error Jeremiah V. Dashiell et al	This cause was argued by Mr. Attorney General Stanbery of counsel for the plaintiff in Error.

38	The United States vs. Plffs in Error Hanson Atkinson's Admr	This cause was argued by Mr. Attorney General Stanbery of counsel for the plaintiff in Error.

Monday December 10th 1866 continued

39	Nelson Clements et al vs. Appts James Nicholson et al.	Ordered by the Court that these cases be and the same are hereby continued to the next term of this court.
40	Thomas C. Moore vs. Appt Nelson Clements et al vs Joseph Andrews	
41	vs. Pff in Error Charles A. Hendler.	

42	Thomas M. League vs. Pff in Error David G. Atchison et al	Mr Carlisle of counsel for the Plaintiff in Error in this cause suggests the death of Thomas M. League the Plaintiff in Error and moves the court to continue this cause and for leave to make the proper representatives On consideration whereof it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court with leave to make the proper repre-

Sentatives Parties.

113	William H. Gaines et al vs. Appt. Lucet Thompson	Ordered by the Court that this cause be

and the same is hereby continued to the next term of this court.

114	Richard Christmas vs. Plff in Error John W. Russell	The argument of this cause was commenced by Mr McPherson of counsel for the Plaintiff in error.

Proclamation being made The Court is adjourned until to-morrow morning at eleven o'clock.

Tuesday December 11th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

PRESENT

The Honorable Salmon P. Chase Chief Justice.

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David D. Gooding Esquire Marshal

Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Stanbery, it is ordered that J. Henry Smith Esquire of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Tuesday December 11th 1866, continued

The Commonwealth of Virginia, Complt
Vs.
The State of West Virginia

On consideration of the motion filed by Mr. Bowden Attorney General of the Commonwealth of Virginia on the 4th instant for leave to file a Bill of Complaint, therewith exhibited in a controversy which has arisen between said Commonwealth and said State and that the process may issue thereon notifying the defendant that such a Bill has been filed and that said defendant may appear and answer the same. On consideration whereof and of the prayer in the Bill of Complaint exhibited therewith, it is now here ordered by the Court that leave to file the said Bill of Complaint be and the same is hereby granted and that thereupon the Clerk do issue process as prayed for in this case returnable on the twentieth day of February next.

Ex parte. In the matter of
Orig. A.H. Garland of Arkansas
Petitioner
Ex parte. In the matter of
Orig. R.H. Marr of Louisiana
Petitioner

Mr Garland filed a motion for re-argument of this case On consideration whereof this court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

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44 Richard Christmas
vs. Writ in Error
John M. Kuykendall &c

The argument of this case was continued by Mr. Ashton of counsel for the defendant in Error and concluded by Mr. Carlisle for the plaintiff in Error

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45 John Dennistoun et al
vs. Appeal
James Rapier Admr &c

On motion of Mr Carlisle of counsel for the appellants ordered by the Court that this cause

Tuesday December 11th 1866 continued

46	James Brown vs. Adm't. Eugenia P. Ball	The argument of this cause was commenced by Mr. McPherson of counsel for the appellant, continued by Mr. Kennedy Johnson for the appellee and concluded by Mr. Carlisle for the appellant.

47	James Brown vs. Adm't W. H. Johnson	This cause was submitted to the consideration of the court on the record and printed argument by Mr. Carlisle and Mr McPherson of counsel for the appellant.

48	Augustus L. Williams Lee. Aff in Error vs. Rice Dalin.	Ordered by the Court that this cause be and the same is hereby continued to the next term of this court

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Tuesday December 11th 1866, continued

49	William M. Bell vs. Pff in Error The Mobile & Ohio R.R. Co	This cause was submitted to the consideration of the Court on the record and printed argument by Mr Peck of counsel for the defendant in Error

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50	Samuel Lock vs. Pff in Error The City of New Orleans	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Janin of counsel for the defendant in Error.

51	T. J. Davidson vs. Pff in Error W. L. Lanier &c.	This case was submitted to the consideration of the Court on the record and printed argument by Mr. Brent of counsel for the defendant in Error, and also on a motion filed
	& 	
52	T. J. Davidson vs. Pff in Error W. L. Lanier &c.	

to dismiss the writ of error for the want of jurisdiction.

	Robert K. McGyre vs. Plff in Error Thomas A. McDonnell's Admr &c	Ordered by the Court that this cause be and the same is hereby continued

to the next term of this court.

54	Azeie Saulet, Widow vs. Plff in Error R. C. Shepherd	Ordered by the Court that this cause be and the same is hereby passed for the present

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75	G. P. C. in virtue assignment vs. Apltz The Milwaukee & Superior R. R. Co.	Mr Carpenter of counsel for the appellant having filed and read in open court

a suggestion of a diminution of the record in this case in the words and figures following, to wit.

"That the record returned to this

Court on the appeal in this cause in that the same does not contain a copy of the record of the judgment at law mentioned in the bill of complaint in this cause and to enforce which this suit was commenced, which was read in evidence on the hearing of this cause in the court below; and that said record is defective in this that it omits divers other of the testimony and written proofs which were read in evidence in said cause on the hearing thereof in the Court below"

By reason of which omissions and errors aforesaid the said counsel now here moved the court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Wisconsin, commanding them that, searching the records and proceedings of said court in this cause they shall certify to this court, under the seal of the said Circuit Court

whatever omissions and errors shall be found On consideration whereof it is now here ordered and decreed by this court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the District of Wisconsin commanding them that searching the records and proceedings aforesaid they forthwith certify to this court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause and return the same with the said writ of certiorari forthwith to this court.

Per Mr. Ch. Jus. Chase

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Wednesday December 12th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David S. Gooding Esquire Marshal
Daniel Wesley Middleton Clerk.

On motion first made to the Court in this behalf by Mr. Jamesell Carlisle it is ordered that Daniel C. Nicholas Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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55. James L. McPherson &c. vs. Pffs in Error / Benjamin L. Cannan &c. vs. | This cause was argued by Mr. Kennedy for Plaintiffs

for of counsel for the defendant in Error and submitted on printed argument by Mr. Carlisle of counsel for the plaintiff in Error.

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56 Thomas A. Dugger vs. Plff in Error / William X. Dunbar

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Carlisle of counsel for the plaintiff in Error Leave being granted Mr. Sherwood to file printed argument.

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57 Moses B. Mordecai & al vs. Apptc / W. & H. Lindsay, exrs &c.

This cause was submitted to the consideration of the court on the record and printed argument by Mr. Carlisle of counsel for the appellants

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58 Milton J. Luttrell & al vs. / Thomas A. Bird & al

Ordered by the Court that this cause be and the same is hereby

continued to the next term of this court.

The Planters Bank of Tennessee Plff in Error

vs.

Abram W. Paul

In Error to the Circuit Court of the United States for the Middle District of Tennessee.

62.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee and, on the motion of Mr Carlisle of counsel for the plaintiff in Error stating that the matters in controversy in this cause had been agreed and settled between the parties by stipulation on file, — it is now here ordered and adjudged by this court that this writ of error be and the same is hereby dismissed with costs

per Mr. Ch. Jus. Chase

The Union Bank of Tennessee Plff in Error
63 vs.
Abram W. Paine

In Error to the Circuit Court of the United States for the Middle District of Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and, on the motion of Mr Carlisle of counsel for the plaintiff in Error stating that the matters in controversy in this cause had been agreed and settled between the parties per stipulation on file - it is now hereupon ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed with costs.

per Mr. Ch. Jus. Chase.

Gardner Howland and Joseph B. Palmer
64 vs.
Edwin F. Buchanan

Appeal from the District Court of the United States for the Northern District of New York.

This cause came on to be heard on

the transcript of the record from the Dist rict Court of the United States for the Northern District of New York, and it appearing to the Court that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the appellant pursuant to the 19th rule of this Court. Whereupon it is now here ordered adjudged and decreed by this court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said District Court in order that the same may be proceeded with according to law.

per Mr. Ch. Jus. Chase.

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65 Frederick E. Sickles vs. Appt Bailey W. Evans et al. | Ordered by the Court that this cause be and the same is hereby

postponed until to morrow morning at Eleven o'clock.

The Puget Sound Agricultural Company vs. Pltff in Error. The County of Pierce.	On motion of Mr. Carlisle. Ordered by the Court that this cause be and the same is hereby continued to the next term of this court.

James G. Barrows vs. Pltff in Error Granville L. Kinard	Ordered by the Court that this cause be and the same is hereby passed for the present.

Abel S. Levy et al Exrs &c vs. Pltff in Error Virginia Levy et al	Mr Edward Blair Smith of counsel for the plaintiffs in Error having

filed and read in open court the following certificate to wit:

In the Court of Appeals
Abel S. Levy and others Executors &c.
vs. Appellants
Virginia Levy and others
Respondents and Appellants

State of New York. }
Court of Appeals Clerks Office } ss.

Patrick Henry Jones Clerk of the Court of Appeals of the State of New York, do hereby certify that a writ of Error in the above entitled action from the Supreme Court of the United States directed to the Judges of the Court of Appeals of the State of New York, duly sued out and allowed was filed in this office on the twenty-second day of December A. D. 1865, and that I have made no return to said writ.

Annexed hereto is a copy thereof.

In Witness whereof I have hereunto set my hand and affixed my official seal at the Capitol in the City of Albany the 10th day of December A. D. 1866.

{Seal}

Campbell H. Young Deputy Clerk

The United States of America S.S.
In the Name of the United States of America
to the Judges of the Court of Appeals of the
State of New York Greeting:

Because in the record and proceedings and also in the rendition of a judgment in said court before you between Uriah P. Levy, Survivor of David S. Reddington deceased who died since the argument and Edith R. Patton who was appointed as Executor and Trustee since the death of said Reddington, Executors and Trustees of Uriah P. Levy, deceased plaintiff against Virginia Levy, Aurelia Levy, Joseph M. Levy, Eliza Levy, Isaac M. Levy, Jonas P. Levy, George Washington Lopez, David C. Pulsifer, and Abigail Pulsifer his wife, Morton Phillips, James Murphy and Rachael Murphy his wife, Maurice Schooler and Mary Ann Schooler his wife, Felix Leibschutz and Fanny Leibschutz his wife, Benjamin Levy, Uriah P. Levy, Aurelia P. Levy, infant children of Morton P. Levy, deceased, The Jewish Hospital of the Portugese Jewish Society

in New York, The Portugese Hebrew Hospital of the City of New York whose Synagogue is in Crosby Street. The People of the United States, The People of the State of Virginia, The Portugese Hebrew Congregation of the City of New York whose Synagogue is in Crosby Street New York The Old Portugese Hebrew Congregation whose Synagogue is in Cherry Street Philadelphia and The Portugese Hebrew Congregation of Richmond Virginia, a manifest error hath happened to the great damage of the said Plaintiffs, as by their complaint appears, and it being fit that the error if any there hath been should be duly corrected, and full and speedy justice done to the parties aforesaid in this behalf. You are hereby commanded - if judgment be therein given, that then, under your seal, distinctly and openly, you send the record and proceedings aforesaid with all things concerning the same to the Supreme Court of the United States, together

with this writ, so that you have the same at Washington, on the first Monday of December 1866 in the said Supreme Court to be then and there held that the record and proceedings aforesaid being inspected, the said Supreme Court may cause further to be done therein, to correct that error, what of right and according to the law and custom of the United States should be done.

Witness the Honorable Salmon P. Chase Chief Justice of the said Supreme Court of the United States this 18th day of December, in the year of our Lord 1865 and of the Independence of the United States the ninetieth

(50 ct. Rev. Stamp)

{ L. S. U. S. Supreme Court Dist. N.Y. }

Augustus A. Boyce
Clerk.

And having stated that the plaintiff in error had altogether failed to file the record of said cause in this court, or in any way to prosecute said writ of error. Now here moved the court in pursuance of the 9th rule of this court to have this writ of error docketed and dismissed

On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the Court of Appeals of the State of New York be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said Court of Appeals for further proceedings to be had therein in conformity to law and justice, the said writ of error notwithstanding.

per Mr. Ch. Jus. Chase

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Thursday December 13th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David D. Gooding, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Carlisle, it is ordered that Charles L. Wells Esquire of San Francisco, State of California be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr William M. Stewart it is ordered that Samuel B. Smith Esquire of Morris County State of New Jersey be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. W. Stoughton it is ordered that Thomas B. Butler Esquire of the State of Connecticut, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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109. The Brig Great Horn her Tackle &c. Damian Gravely Claimant vs. Appellant The United States

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

Which [illegible] Sir and on the motion of Mr. Carlisle of counsel for the appellants and with the consent of Mr Attorney General Lawrence of counsel for the appellees for stipulation on file, it is now here ordered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed at the cost of the appellants

Jun. Mr. Ch. Jus. Chase

The Brig Sarah Starr &c
Canada Gracley, Claut
vs. Appl
The United States

Mr Carlisle of counsel for the appellants moved the Court for leave to withdraw the

1809

transcript of the record of this cause from the files of the court. On consideration whereof it is now here ordered by the court that the appellant have leave to withdraw the transcript of the record of this cause from the files of this court, upon his leaving with the Clerk a receipt therefor and which the Clerk is hereby directed to file in the place of said transcript.

Jun. Mr. Ch. Jus. Chase

Thursday December 13th 1810, continued

65	Frederick E. Hinkle vs. Appellant Bailey H. Evans & Caleb Seagrave	Appeal from the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the motion of Mr. E. H. Knaphton of counsel for the appellees praying for an affirmance of the decree of said Circuit Court in this cause under the 16th rule of this court, it is ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Jun Mr. Ch. Jus Chase.

66	The Union Manufacturing Company vs. Appellees John C. Lounsbury &c.	The argument of this cause was commenced by Mr. Wirt of counsel for the appellees and continued by Mr. Knaphton of counsel for the appellees

Proclamation being made the court adjourned until to morrow morning at eleven o'clock.

Friday December 14th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field.
} Associate Justices

David S. Gooding Esquire Marshal
Daniel Wells Middleton Clerk.

Proclamation being made the court is opened

On motion first made to the Court in this behalf by Mr. Matt. H. Carpenter it is ordered that Seth F. Duncombe Esquire of Fort Dodge, State of Iowa and Frank A. Bellis Esquire of Bellevue State of Iowa, be admitted to practice as attorneys and counsellors of this Court

and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. Sherwood, it is ordered that George Tucker Esquire of Alexandria State of Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte In the matter of A.H. Garland of Arkansas		On consideration of the motion filed in these cases on the 11th instant. It is now here ordered by the Court that the said motion be and the same is hereby overruled
6 Original	Petitioner	
&		
Ex parte In the matter of A.H. Hart of Louisiana		
8 Original	Petitioner	

William Garrison		Mr Carlisle asked leave to enter a special appearance, and file a motion to dismiss this appeal. Granted
260	vs. Appellant	
Case County		

Friday December 14th 1866, continued

97	Jos. Maria Mesia vs. A/L/E The United States	Mr Attorney General Stanbery files a motion to dismiss this appeal

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10 original	The Milwaukie & Minnesota R. R. Co. Petitioners vs. The Judges of the Circuit Court U. S. for the District of Wisconsin	The argument of the motion for a mandamus was commenced by Mr. Carpenter in support of the motion continued by Mr. Carey and Mr. Ryan in opposition thereto and concluded by Mr. Carpenter in behalf of the motion. Whereupon this court, not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

133	The Des Moines Navigation & R. R. Co. Pff in Error vs. Calvin Burt.	Mr Dunscombe files a motion for leave to intervene in this cause for the purpose of argument in behalf of the Iowa Central Rail

Company. Whereupon this court not being now sufficiently advised of and concerning what order to render in the premises took time to consider

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The Milwaukee Minnesota Railroad Company vs. Apl'ts 354 James T. Sutter Survivor &c + Alexander Fleming vs. Apl'ts 355 James T. Sutter Survivor &c	The argument of the motions to vacate the papers dismiss the appeals in these cases was commenced by Mr Ryan in support of the motions, continued by Mr Carpenter in opposition thereto and concluded by Mr Ryan in favor of the same. Whereupon this court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday December 17th 1866

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David K. Gardner Esquire Marshal

James Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Carr it is ordered that James L. Dodille be Esquire of the Bar of this City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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On motion first made to the Court

in this behalf by Mr E. G. Ryan it is ordered that Wm Johnson Esquire of Madison State of Wisconsin be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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David M. Hughes
vs. Appl
The United States

Appeal from the Circuit Court of the United States for the Eastern

5 District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed

Ex parte. In the matter of Lambdin P. Milligan on Habeas Corpus

Mr. Justice Davis delivered the opinion of the Court in this cause. Answering the Questions certified as stated in the minutes of the Court of December Term 1865 (3d April 1866). The same order being entered in Ex parte Bowles and Ex parte Storey. [vol 3 651 & 676]

Mr. Chief Justice Chase delivered an opinion, concurred in by Mr. Justices Wayne, Swayne and Miller dissenting on third question certified.

The United States
v.
George Stewart

In Error to the Circuit Court of the United States for the Southern District of Alabama

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by counsel. On consideration whereof it is now ordered

and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court

per Mr. Justice Miller

The United States
vs.
Wm. Hoffman
Charles Le Baron

In error to the Circuit Court of the United States for the Southern District of Alabama

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed, and that

this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court

per Mr Jus Miller

Thomas B. Nixon
vs. Writ in Error
Richard Nixon

In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest at the same rate per annum that similar judgments bear in the courts of the State of Louisiana

per Mr Jus Clifford

3	The United States vs. Effie Emm James McMasters & Richard A. Stewart	In error to the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed

per Mr. Justice Nelson

133	The New Haven Navigation R.R. Co. Plff in Error vs. Calvin Burr	On consideration of the motion of Mr. Dimmock for leave to intervene &c. in this cause, it is now here ordered by the court that leave be and the same is hereby granted

Mr. Dunscomb is in court in behalf of the Iona Homestead Company in the argument of this cause and to file a printed argument

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204	Samuel P. Wood vs. Pltff in Error. Steamboat Navigation v. R. R. Co.	Ordered by the Court that this case be argued by counsel if desired with No 133, when reached in the regular call of the docket

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333	The United States vs. Pltfs Nancy Swain	Ordered by the Court that this cause be argued with or immediately after No 256

76	The Union Manufacturing Company vs. Defts John D. Lounsbury et al	The argument of this cause was continued by Mr. Stoughton of counsel for the defendants

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Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock

---

Tuesday December 18th 1866

Pursuant to adjournment the Court met this morning at the Capitol.

PRESENT

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne	Associate Justices
Samuel Nelson	
Robert C. Grier	
Nathan Clifford	
Noah H. Swayne	
Samuel F. Miller	
David Davis	
Stephen J. Field	

David S. Gooding Esquire Marshal

Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened

On motion first made to the Court in this behalf by Mr Samuel Carlisle it is ordered that Gustavus Koerner Esquire of Belleville, State of Illinois, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly

On motion first made to the Court in his behalf by Mr Thomas Ewing Jr. it is ordered that Mitchell A Smiley Esquire of Kalamazoo, State of Michigan be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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On motion first made to the court in his behalf by Mr James Grant it is ordered that Josiah A Harvey Esquire of Sidney, State of Iowa, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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Henry M. Rector-
Plff in Error
vs.
Mary W. W. Ashley
Exx &c. et al

16

Mr Johnson of counsel for the plaintiff in Error in this cause now here suggests the death of Mary W. W. Ashley Exx &c of the defendants in error and moves the court that the appearance of Thomas K. Welch Admr &c.

be entered as one of the defendants in error in this cause. On consideration whereof it is now here ordered by the court that the appearance of the said Thomas K. Welch Adm. &c. be and the same is hereby entered as one of the defendants in error in this cause in place of the said Mary H. H. Ashley deceased

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Henry M. Rector
Plff in Error
vs
Mary H. H. Ashley
Exr &c.

Mr. Johnson of counsel filed a motion to strike out the submission of this cause and for leave for oral arguments. Whereupon this court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

The Illinois Manufacturing Company Appts
vs
John D. Lounsbury et al

The argument of this cause was completed by Mr. B R Curtis of

counsel for the appellants

Isaac Graham et al vs Appts The United States	This cause was argued by Mr R. Johnson of counsel for the

appellants and submitted on the record and printed argument by Attorney General Stanbery for the appellees

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O. P. Holloway Commissioner of Patents vs Appellant Andrew Whitley	This cause was argued by Mr E. Foote of counsel for the plaintiff in error and

submitted on the record and printed argument by Mr Coombs for the defendant in error

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Leo Stearns Peterhoff &c vs Appts The United States	The argument of this cause was commenced by Mr Marvin of

counsel for the appellants

Proclamation being made the court is adjourned until to-morrow morning at eleven o'clock

Wednesday December 19th 1866

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
} Associate Justices

David S. Gooding, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. T. J. Durant it is ordered that John A. Grow Esquire of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. Thomas Ewing Jr. it is ordered that Samuel C. Eastman Esquire of Concord State of New Hampshire, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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The Steamer Peterhoff
vs.
The United States

The argument of this cause was continued by Mr. Coffey and Mr. Whiting.

Assistant Attorney General U.S. of counsel for the appellee, and by Mr. A.J. Smith of counsel for the appellant.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'Clock.

Thursday December 20th 1866

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
} Associate Justices

David S. Gooding Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr James M. Carlisle it is ordered that Sol. F. Clark Esquire of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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79. The Steamer Peterhoff vs. Shipt &c. The United States

The argument of this cause was completed by Mr Stanbery of counsel for the appellant

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34. The United States Pltff in Error vs. Jeremiah V. Dashiell &al / The United States Pltff in Error vs. Kamberlin Asbury's Admr

On leave granted, Mr Parshall of counsel filed printed argument in these cases

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302 The State of New York ex rel. D. Dunn v. Commissioners of Taxes &c.

303 " " " " R. L. Kennedy " " "

304 " " " " A. A. Lowe " " "

305 " " " " P. M. Bryson " " "

306 " " " " C. Bodine " " "

307 " " " " F. A. Palmer " " "

308 " " " " R. Mead " " "

309 " " " " H. M. Burr " " "

310 " " " " J. E. Williams " " "

310 Mr. Pope of Michigan for the State of New York in place of Mr. Dunn a Commissioner of this Court

311 " " " " " " " " W. Whitehouse " " "

On application of counsel it was ordered by the court that the counsel representing the parties in this cause be allowed five hours on each side, to be divided as counsel may arrange among themselves

The argument of the cases was then commenced by Mr. Gillman of counsel for the plaintiff in error in Nos 301, 302 & 303, by Mr. Barrett of counsel for plaintiff in error in Nos 305, 306, 307 & 308, and by Mr. O'Gorman for the defendant in error in No. 304.

Proclamation being made the Court is adjourned until to-morrow morning at Eleven o'clock

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Friday December 21st 1866

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
} Associate Justices

David D. Gooding Esquire Marshal

Daniel Willey Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Mr Charles O'Conor, it is ordered that Theodore Bailey Myers Esquire of New York City, be admitted to practice as attorney and counsellor of this court, and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr William M Evarts it is ordered that Charles E Perkins Esquire of Hartford State of Connecticut be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

The United States vs. The City of San Francisco	Appeal from the Circuit Court of the United States for the Northern

78

District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and on the motion of the Attorney General Stanbery of counsel for the appellants and with the consent of Mr. T. J. Coffey of counsel for the appellee and on written stipulation on file it is now here ordered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

And it is further ordered that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of California

per Mr. Ch. Jus. Chase

The City of San Francisco		Appeal from the Circuit Court of the United States for the Northern District of California.
288	v. Appl	
The United States		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and on the motion of Mr Attorney General Stanbery of counsel for the appellee and with the consent of Mr. T. J. Coffey of counsel for the appellant, per written stipulation on file, it is now here ordered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed. And it is further ordered that this cause be and the same is hereby remanded to the Cir-

cuit Court of the United States for the District of California

Justice Mr. Ch. Jus. Chase

	The United States	On motion of
284	vs. Appl.	Mr Coffey and
	The City of San Francisco	consent of Mr.
	&	Attorney Gen-
	The City of San Francisco	eral Stanbery,
288	vs. Appl.	Ordered by
	The United States	the Court that
		leave be and

the same is hereby granted the clerk to issue the mandates in these cases

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301 The People of the State of New York, ex rel. T. Dun? vs. The Commissioners of Taxes

302 " " " " R. L. Kennedy vs. "

303 " " " " A. A. Low vs. " "

304 " " " " P. M. Boyer vs. " "

305 " " " " J. Bodine vs. " "

306 " " " " T. A. Palmer vs. " "

307 " " " " R. Mead vs. " "

308 " " " " H. J. Bend vs. " "

309 " " " " J. E. Williams vs. " "

310 " " " " Dows vs. " "

Friday December 21st 1866 continued

311 The People of the State of New York ex rel. W. S. Kitchen v. The Commissioners of Taxes &c.

The argument of these cases was continued by Mr O'Gorman of counsel for the defendant in error in No 304, by Mr Parker of counsel for the defendants in Error generally, by Mr. Van Winkle of counsel for the plaintiff in error in No 304, by Mr O'Conor of counsel for the defendants in Error generally, and concluded by Mr Evarts of counsel for the plaintiffs in error in Nos 305-306-307-308-310 & 311.

Proclamation being made the Court is adjourned until Wednesday morning next at eleven o'clock

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Wednesday December 26th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
} Associate Justices

David T. Durling Esquire Marshal
Daniel Kelley Assistant Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by the Attorney General it is ordered that T. M. Marquett Esquire of Plattsmouth, State of Nebraska be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

William Christy Plff in Error vs. Hall D. Pridgeon Admin- istrator of Wiley W. Pridgeon, deceased	In Error to the District Court of the United States for the Eastern District of Texas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Texas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be, and the same is hereby affirmed with costs

per Mr Justice Field

John K. Mitchell Plff in Error vs. The Lessee of Vincent De St Malgent et al	In Error to the District Court of the United States for the Northern District of Florida

Wednesday December 26th 1866, continued.

This cause came on to be heard on the transcript of the Record from the District Court of the United States for the Northern District of Florida, and was argued by counsel; on consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs

Mr Justice Davis

Ambrose Soupiere Plff in Error vs H. L. Hunley	In Error to the Supreme Court of the State of Louisiana Eastern District

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, Eastern District, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme

Court in this cause, be and the same is hereby affirmed with costs

Justice Swayne

The New Orleans, Opelousas, and Great Western Railroad Company
Plff in Error
vs
W. S. Lindsay & Co a commercial firm composed of Wm S. Lindsay, Edward P. Stringer and Stephen Gladstone

In Error to the Circuit Court of the United States for the Eastern District of Louisiana

36

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum

that similar judgments exist in the courts of the State of Louisiana, and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Louisiana

per Mr. Justice Swayne

Richard Christmas
Plaintiff in Error
vs.
John W Russell

444

In Error to the Circuit Court of the United States for the Southern

District of Mississippi

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. and interest at the same rate per annum

that similar judgments had in the courts of the State of Mississippi

pd Mr. Justice Clifford

The United States
v. Plaintiffs in Error
Jeremiah O'Dashiell
and Isaiah A. Fischal

In error to the District Court of the United States for the Western Dist-

37

rict of Texas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby reversed; and that this cause be and the same is hereby remanded to the said District Court with direction to award a venire facias de novo

pd Mr. Justice Nelson

The United States Plaintiffs in Error 38 vs. James Burbank and Harriet R. Allsbury, Admr & Admx of Hanson Allsbury deceased	In error to the District Court of the United States for the Western District of Texas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be, and the same is hereby affirmed

per Mr. Jus. Nelson

William Walker and L. F. Slatter 41 Plaintiffs in Error vs. The United States	In Error to the Circuit Court of the United States for the East- ern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that this writ of error be and the same is hereby dismissed for the want of jurisdiction. And that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Louisiana

per Mr. Ch. Jus. Chase

Edward McGehee Plaintiff in Error vs. Martin R. P. Mathiote	In Error to the Supreme Court of the State of Arkansas

27

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel. On consideration whereof it is now here ordered and ad-

judged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court of the State of Arkansas, with instruction to enter a decree in conformity with the opinion of this court

Nott Ch. Jus. Chase.

28

John J. Jackson et al Plaintiffs in Error vs. Martin K. P. Mathis Sheriff &c	In Error to the Supreme Court of the State of Arkansas

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby

reversed with costs, And that this cause be and the same is hereby remanded to the said Supreme Court of the State of Arkansas, with instructions to enter a decree in conformity with the opinion of this court

Just Mr. Ch. Jus Chase

James S. Montgomery
Plaintiff in Error
v.
Martin E. P. Mathis
Sheriff &c

In Error to the Supreme Court of the State of Arkansas

29

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court of the State of Arkansas with instructions to enter a decree in

conformity with the opinion of this court. Chief Justice Chase

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William E. Bentley
Plaintiff in Error
vs.
Martin R. P. Mathis, Sheriff &c

Error to the Supreme Court of Arkansas

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court of the State of Arkansas with instructions to enter a decree in conformity with the opinion of this court

Chief Justice Chase

	Isaac H. Wilson Plaintiff in Error vs: Martin R. Mathis Sheriff &c.	In Error to the Supreme Court of the State of Arkansas
31.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel. On consideration whereof it is now here ordered and adjudged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court of the State of Arkansas with directions to enter a decree in conformity with the opinion of this court

per Mr. Ch. Jus. Chase

	Chas. C. McDermott Plaintiff in Error vs: Martin R. Mathis Sheriff &c.	In Error to the Supreme Court of the State of Arkansas
32		

Wednesday December 26th 1866, continued.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause, be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court with instructions to enter a decree in conformity with the opinion of this court.

Mr. Ch. Jus. Chase.

Charles McDermott Plaintiff in error 33 v. Martin L. Mathis Sheriff &c	In error to the Supreme Court of the State of Arkansas

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of

Arkansas, and was argued by counsel.
On consideration whereof it is now ordered, adjudged, and decreed by this court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court with instructions to enter a decree in conformity with the opinion of this court.

Wm. Sh. Ch. Jus. Chase

Henry M. Cator
Plaintiff in Error
vs.
Mary A. Washburn's
Exrs. et al

16.

Ordered by the Court that this case be and the same is hereby continued to the next term of this court to be orally argued at the bar.

Mr Chief Justice Chase announced to the bar that the court will adjourn on Friday to Thursday the 3rd of January and that no cause after No 84 will be called this week

	The United States	The argument of
355	vs. Hoff	this case was
	William Craft	commenced by th
	&	Attorney General
	The United States	Stanbery of coun
356	vs. Hoff	sel for the plain
	William Craft	tiffs, continued by

Mr Evarts of coun sel for the defendants and concluded by Mr Attorney General Stanbery for the plaintiffs.

	The United States	This cause was
333	vs. Hoff	argued by the
	Nancy Swain	Attorney General

Stanbery of coun sel for the plaintiffs.

	Elijah Mitchell dec	This cause was
81	vs. Hoff in Error	argued by th
	The City of Burlington	Court of coun
	&	sel for the plain
	Edward H Learned	tiffs in Error and
82	vs. Hoff in Error	submitted on the
	The City of Burlington	record and printed

argument by Mr. Ewing Jr. of counsel for the defendants in error

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Proclamation being made the Court is adjourned until to-morrow morning at Eleven o'clock

---

Thursday December 2nd 1866.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
} Associate Justices

David J. Gooding Esquire Marshal
Daniel Ashley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr William M. Evarts it is ordered that William M. McFarland Esquire of Hartford State of Connecticut be admitted to practice as an attorney and counsel of this court, and he was sworn accordingly

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Thursday December 22nd 1836 continued

333	The United States vs Hendricks Nancy Swayne	This cause was submitted to the consideration of the court on the record and printed argument by Mr Crouch of counsel for the defendant

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80	The Steam Packet Mail Wright Plff in Error vs Wilson Hammons	This cause was argued by Mr Pierrepont and Mr Evarts of counsel for the Plaintiffs in Error and submitted on printed argument by Mr Cope of counsel for the defendant in Error

---

83	James E Mumford vs Hiffinderfer & Ohio Hardware	On motion of Mr Ewing. Ordered by the Court that this cause be and the same is hereby continued to the next term of this Court

---

Proclamation being made the court is adjourned until to-morrow morning at eleven o'clock

---

Friday December 28th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase Chief Justice.

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
} Associate Justices

David S. Gooding Esquire Marshal
Daniel Reily Middleton Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr Caleb Cushing, it is ordered that Francis H. Peabody Esquire of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

395	John H. Ingle, Admr &c vs. Appl Zephaniah Jones	The argument of the motion for stay of execution or supersedeas in this case was commenced by Mr Bond in support of the motion by Mr Bradley in opposition thereto and concluded by Mr Merrick in favor of the motion. Whereupon, this Court not being now sufficiently advised of what ought to be rendered in the premises took time to consider.

396	Marshall Brown et al vs. Plffs in Error John Emily F Wiley	The motion for a writ of certiorari in this cause was argued by Mr Bradley in support of the same and by Mr Merrick in opposition thereto. Whereupon this Court not being now sufficiently advised what order to render in the premises took time to consider.

397	Marshall Brown et al vs. Plffs in Error John Emily F Wiley	The motion to dismiss this writ of Error was argued

by Mr Brent and Mr Merrick in support of the same and by Mr Bradley and Mr Dwight in opposition thereto. Whereupon this court not being now sufficiently advised of and concerning what order to render in the premises took time to consider

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335	The United States vs Nancy Swayne	By leave of the Court this cause was argued by Mr Emmett of counsel for the defendant

---

395	John Hedgle, admr de bonis non. of Peter L'Hermott dec'd use of Horace Stringfellow vs Zephaniah Jones	Upon consideration of the motion filed in this cause by Mr Brent and Mr Merrick of counsel for the appellants for a stay of execution & supersedeas and of the arguments of counsel thereupon had as well for as

against said motion, it is ordered by this court that the said motion be and the same is hereby overruled

Hd Mr. Ch. Jus. Chase

Proclamation being made the Court is now adjourned until Thursday morning next at eleven o'clock

---

Thursday January 3rd 1867.

Pursuant to adjournment the Court met this morning at the Capitol

PRESENT

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
} Associate Justices

David T. Carding Esquire Marshal
Daniel Wiley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in that behalf by D. Wiley Middleton it is ordered that Stephen Snow Esquire of Pendania, State of New York, be and he is hereby admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. Carlisle it is ordered that Charles S. Whitman Esquire of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. B. F. Butler, it is ordered that William T. Sicat Esquire of Warren State of Ohio, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

---

Samuel Leake
vs. Pltff in Error
The City of New Orleans

In Error to the Supreme Court of the State of Louisiana

50

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court

Thursday January 22nd 1863 adjourned

that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs

per Mr Jus. Field

---

77 Isaac Graham et al vs The United States

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed

per Mr Jus. Field

Thursday January 3rd 1867 continued

William C. Bell Plaintiff in Error vs. 49 The Mobile and Ohio Railroad Company	In Error to the District Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and interest at the same rate per annum that similar judgments bear in the courts of the State of Mississippi

per Mr Justice Davis

C. J. P. Holloway, Commissioner of Patents Plaintiff in Error vs. 78 Andrew Whiteley	In Error to the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel.

On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court with directions that the application of the Relator be by that Court overruled and dismissed.

Per Mr Justice Swayne

Moses C. Mordecai, Isaac H. Hertz, Joseph A. Enslaw, and Isaac N. Mordecai, trading under the firm of Mordecai Hertz, Appellants
vs.
Wm. Lindsay, owners of the Schooner "Mary Eddy" &c

57

Appeal from the Circuit Court of the United States for the District of South Carolina.

Thursday January 3rd 1867, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Clifford

James Brown, Complt
vs.
Eugenia P. Ball

Appeal from the Circuit Court of the United States for the Southern District of Mississippi

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in

this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with direction to enter a decree for the complainant in conformity to the opinion of this court.

Per Mr. Justice Nelson

James Brown
Plaintiff in Error
vs.
William Johnson

In Error to the Circuit Court of the United States for the Southern District of Mississippi

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby reversed with costs. And that this cause be and the

same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr. Justice Nelson

The Bark Springbok, her tackle &c. Thomas May et al Claimants & Appellees & Isaac Camp Master & Owner of the Cargo Appellants

60. vs.

The United States

Appeal from the District Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof it is now hereordered, adjudged, and decreed, by this court that so much of the decree of the said district court as relates to the costs, be and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said district court with directions to enter a decree restoring the costs without

costs or damages, to the claimants.

And it is further ordered, and decreed by this court that so much of the decree of the said district court as relates to the cargo, be and the same is hereby affirmed

Sup Mr Ch Jus. Chase

The United States Appellants vs. The Brig Washington	On the written application of the counsel for the respective parties in this case it is now here ordered by the court, that a transcript of the invoices, bills of lading and other papers sent up in this cause original be made by the clerk and printed as part of the transcript of the record in this case

101

The Steamer "Grey Jacket" Appellant vs. The United States	On consideration of the motion for leave to file an additional answer in this

84

case it is not now ordered by the court that said motion be, and the same is hereby overruled

It is further ordered by the court that an authenticated copy of the order of the Secretary of the Treasury, and filed with the clerk of this court, may be put in by way of further proof in this cause

---

The Steamer "Grey Jacket" Cargo Appellants

84. vs

The United States

The argument of this cause was commenced by Mr Butler of counsel for the appellants

---

Proclamation being made the court is adjourned until to-morrow morning at Eleven o'Clock.

Friday January 14th 1814

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable Salmon Hosmer Chief Justice

James Wayne
James Kent
Nathan Clifford
Noah H. Swayne
James Hillhouse
David Daggett
Stephen Field

} Associate Justices

David B. Gooding, Esquire, Marshal
Daniel Wiley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. James M. Carlisle it is ordered that William C. Goodrich Esquire of the City of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

Friday January 11th 1867 continued

The Schooner Caroline Cargo Appellant vs The United States	Mr Attorney Genl. at Stanbery of counsel for the appellee having filed and read in open court

the following certificate to wit
The United States of America
District of Maryland, to wit:
In Circuit Court U.S. April Term 1865

The Schooner Caroline Cargo vs The United States	Appeal from the District Court Record filed April 29 1864

Deposition filed April 10 1865. Decree of the District Court affirmed. Appeal prayed

I, James H. Chew, Clerk of the Circuit Court of the United States for the fourth circuit in and for the Maryland District, do hereby certify that the above is a true copy of the docket entries in the above case and that an appeal was duly entered and allowed

In testimony whereof I have hereunto subscribed my name and affix the seal of the

{Seal}

said Circuit Court this this
by first Day of December in
the year of our Lord one
thousand eight hundred and
sixty-six

James W. Chew Clerk
C. C. U. S.

and having stated that the appellant
has altogether failed to file the rec-
ord of said Cause in this Court &
in any way to prosecute said appeal
Now here moves the court, in pur-
suance of the 9th rule of this court to
have this appeal dismissed and dismiss-
ed. On consideration whereof it is
now here ordered, adjudged, and de-
creed by this court that this appeal
from the Circuit Court of the United
States for the District of Maryland
be and the same is hereby dismissed
and dismissed, and that this cause be
and the same is hereby remanded to the
said Circuit Court for further proceedings
to be had therein in conformity to law
and justice, the said appellee notwithstanding

Salmon P. Chase

A. P. Catlin et al Lieut Navy Appts in the case of the United States	On motion of Mr Wills and with the consent of Mr Carlisle, it is now here ordered by the court that this cause be argued with #286 when that cause is reached in the regular case of the docket
163 v.	
Jas T. Arnoux et al	

The United States	The motion for a prohibition on the District Judge of the United States for the Northern District of California was argued by Mr Carlisle in support of the motion. Whereupon this court not being now sufficiently advised of the premises took time to consider
Judge v.	
The Honorable Ogden Hoffman Dist Judge U.S. Northern Dist of California	

The Steam Ship "Grey Jacket" &c	The argument of this cause was continued by Mr Butler of counsel
54 v. Appeal	
The United States	

Friday January 11th 1850 continued

for the applicants, and by Mr Stuart, Assistant Attorney General of counsel for the United States

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Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

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Monday January 7th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David S. Gooding Esquire Marshal
Daniel Kelly Middleton Clerk

Proclamation being made the Court is opened

James L. Witherspoon, James E. Barkman, and Thomas D. Kingsbery Executors of Henry K. Hardy. Plaintiffs in Error
v.
Benjamin L. Duncan and Harris Flanagin

In Error to the Supreme Court of the State of Arkansas

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs

Present Mr. Justice Davis

Calvin M. Rutherford
vs
John K. & Hosford Geddes &c

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana

15

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same

is hereby affirmed with costs. And that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Louisiana

Said Mr Justice Miller

Thomas H. Dayton Plaintiff in Error vs William H. Dundas	In Error to the District Court of the United States for the Eastern District of Texas.

56

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed with costs and interest on the judgment at the same rate per annum that similar judgments bear in the courts of the State of Texas

Said Mr Justice Swayne

Monday January 7th 1867 continued

Elijah Mitchell and William B. Ross.	In Error to the Circuit Court of the United States for the District of Iowa
81 vs. Plaintiffs in Error	
The City of Burlington	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein, in conformity to the opinion of this court.

Delivered by Mr Justice Clifford

(Mr Justice Miller not having heard at the argument took no part in the decision.)

Monday January 7th 1867 and 1st

Edward H. Learned 52 vs. Plaintiff in Error The City of Burlington	In Error to the Circuit Court of the United States for the District of Iowa

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel.

On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court

Per Mr Justice Clifford

(Mr Justice Miller not being present at the argument took no part in the decision)

The People of the State of New York ex rel. Deming Dodd Plaintiff in Error v. The Commissioners of Taxes & Assessments for the City & County of New York	In Error to the Court of Appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by counsel. On consideration whereof it is now ordered and adjudged by this court that the judgment of the Court of Appeals in this cause be and the same is hereby affirmed with costs

Mr. Justice Jackson

Dissenting. Mr. Ch. Jus. Chase
Mr. Just. Wayne Mr. Just. Swayne

(Mr. Justice Miller not having heard the argument took no part in the decision of cases Nos 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311.)

The People of the State of New York; ex rel. Robert L. Kennedy. Plaintiff in Error

vs.

The Commissioners of Taxes and Assessments for the City and County of New York

In Error to the Court of Appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby affirmed with costs

Justice Mr Justice Nelson

Dissenting
Mr. Ch. Jus. Chase
Mr. Jus. Wayne &
Mr Jus. Swayne

The People of the State of New York, for use Abiel A. Low, Plaintiff in Error	In Error to the Court of Appeals of the State of New York
303 vs.	
The Commissioners of Taxes & Assessments for the City & County of New York	

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Court of Appeals in this cause herein be and the same is hereby affirmed with costs

Said Mr Justice Nelson

Dissenting
Mr Ch. Jus Chase
Mr Jus Wayne &
Mr Jus Swayne

Monday January 7th 1861 continued

The People of the State of New York Ex rel. Peter A. Bryson, President of the Phoenix National Bank of the City of New York. Plaintiffs in Error

vs

The Commissioners of Taxes and Assessments of the City & County of New York

In Error to the Court of Appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Court of Appeals in this cause be and the same is hereby affirmed with costs

per Mr. Justice Nelson

Dissenting
Mr. Ch. Jus. Chase
Mr. Jus. Wayne
Mr. Jus. Swayne

The People of the State of New York, ex rel John Bidine
Plaintiff in Error
vs.
The Commissioners of Taxes & Assessments for the City & County of New York

In Error to the Court of Appeals of the State of New York

3085

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by counsel On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Court of Appeals in this cause be and the same is hereby affirmed with costs

And Mr Justice Nelson

Dissenting
Mr Ch. Jus Chase
Mr Jus Wayne
Mr Jus Swayne

Monday January 7th 1867 continued

306

The People of the State of New York, ex rel. Francis A. Palmer, Plaintiff in Error
vs
The Commissioners of Taxes & Assessments for the City & County of New York

In Error to the Court of Appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby affirmed with costs

Per Mr. Jus. Nelson

Dissenting
Mr. Ch. Jus. Chase
Mr. Jus Wayne
Mr Jus Swayne

	The People of the State of New York & Gail Corpe Meal, Plaintiffs in Error	
307	vs.	In Error to the Court of Appeals of the State of New York
	The Commissioners of Taxes & Assessments for the City & County of New York	

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Court of Appeals in this cause be and the same is hereby affirmed with costs

per Mr Justice Nelson

Dissenting
Mr Ch. Jus. Chase
Mr Jus Wayne
Mr Jus Swayne

The People of the State of New York, ex rel. Henry J. Bass Plaintiffs in Error

vs.

The Commissioners of Taxes & Assessments for the City & County of New York

308

In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Court of Appeals be and the same is hereby affirmed with costs

per Mr Justice Nelson

Dissenting
Mr. Ch. Jus. Chase
Mr. Jus Wayne
Mr Jus Swayne

	The People of the State of New York, ex rel. John E. Williams Plaintiffs in Error	In Error to the Court of Appeals of the State of New York
309	vs.	
	The Commissioners of Taxes, & Assessments of the City & County of New York	

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby affirmed with costs

Mr. Justice Nelson

Dissenting
Mr. Ch. Jus. Chase
Mr. Jus. Wayne
Mr. Jus. Swayne

The People of the State of New York, ex rel Davis Dows, Plaintiff in Error
vs.
The Commissioners of Taxes & Assessments for the City & County of New York

On Error to the Court of Appeals of the State of New York

310

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the judgment of the said Court of appeals in this cause be and the same is hereby affirmed with costs

Mr Justice Nelson

Dissenting
Ch. Jus. Chase
Mr Jus. Wayne
Mr Jus Swayne

The People of the State of New York ex rel William K Strahan, Plaintiff in Error vs The Commissioners of Assessments for the City & County of New York	In Error to the Court of Appeals of the State of New York

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby affirmed with costs.

Mr Justice Nelson delivering the opinion of the Court

Mr Ch. Jus Chase
Mr. Jus Wayne &
Mr Jus Swayne

The Steamer Grey Jacket &c vs &c The United States	The Court has considered the question whether counsel shall be heard

521

in this cause on behalf of the Treasury Department, and has instructed me to say that in causes when the United States is a party and is represented by the Attorney General, & the Assistant Attorney General & Special counsel appointed by the Attorney General, no counsel can be heard in opposition on behalf of any other of the Departments of the Government.

In the present case however the argument has nevertheless proceeded under the impression at the bar that counsel would be heard on behalf of the Treasury Department, and the court is desirous of all the light that can be derived from the fullest discussion. The counsel for the Treasury Department may be heard therefore if he see fit, on behalf of the claimant; and two hours will be allowed for the argument; without prejudice to the time which remains to the counsel who opened the cause

for reply to the Attorney General and the counsel for the captors

Judge Ch. Just. Chase

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84 The Steamer "Grey Jacket &c
vs.
The United States

The argument of this cause was continued by Mr Cushing on behalf of the claimant, and by Mr Emmet of counsel for the captors

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Proclamation being made the court adjourned until to-morrow morning at eleven o'clock

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Tuesday January 8th 1867.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase — Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David K. Cartter, Esquire, Marshal

Daniel Ashley, Missouri, Clerk.

Proclamation being made the Court is opened

On motion first made to the court in said behalf by Mr. [illegible] Merrick, it is ordered that John A. McClernand, Esquire of Chicago, Ill. of Illinois, be and he is hereby admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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	The Steam Ferry Jacket &c	The argument
80	vs	of this cause
	The United States	was continued
		by Mr Evans of

counsel for the Captors.

Further argument was postponed by order of court in consequence of the sudden indisposition of Mr Evans.

	Ezra S. Stanley et al	The argument of
85	vs	this cause was
	Elizabeth S. Kell	commenced by
		Mr Perkins of

counsel for the plaintiff in Error

Proclamation being made the Court adjourned until to morrow morning at Eleven o'Clock.

Wednesday January 9th 1850

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Daniel A. Dowling, Esquire Marshal

Daniel Wm. Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by the B. C. Cook, it is ordered that H. J. Grout Esquire of Ottawa, State of Illinois be and he is hereby admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly

---

On motion first made to the Court in this behalf by Mr Reverdy Johnson it is ordered that, John A. J. Cremony Esquire of Elkton, State of Maryland be and he is hereby admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

3	The United States Plaintiffs in Error v. James McMasters	On motion of Mr Jenckes, leave granted to file writ of error in this cause.

11.	Joseph C. Norman dec'd Appellants v. Cooney Baldwin	On motion of Mr Stanton suggesting death of parties appellants and appearing in this cause for widow, Natural, and Representatives of the causes for the respective parties, it is now here ordered by the Court that the appearance of Cooney Baldwin -

man, and Sarah M. Pyle, Exrx of Reuben Coleman, late her and surviving wife of Joseph C. Norman deceased, Justina Mills, late heir and admx of John M. Mills, who was late heir of Malvina C. Mills decd, Antoinette Schweikart, formerly Antoinette Officine, wife of Frederick Schweikart, and Frederick Schweikart, be entered as parties appellants and Ann Sarah Baldwin Executrix and Henry Baldwin and Wilmington Manor Exors of Henry Baldwin, deceased, be entered as the parties appellees in this cause

---

Ezra S. Stanley use &c. vs. Mfg in Error
Elizabeth L. Colt

The argument of this cause was continued by Mr McFarland and Mr. Curtis of counsel for the defendant in error

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Proclamation being made the court is adjourned until to-morrow morning at Eleven o'Clock

---

Thursday January 10th 1861

Pursuant to adjournment, the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David T. Gooding Esquire Marshal
David Wesley Middleton Clerk

Proclamation being made the Court opened.

On motion first made to the Court in this behalf by Mr. B. R. Curtis, it is ordered that George T. Edmunds Esquire of Burlington, State of Vermont be admitted to practice as an attorney and counsellor of this court and he was accordingly

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Thursday January 16th 1851 continued

On motion first made to the Court in this behalf by Mr. J. Hemphill Sellers it is ordered that A. C. Barry Esquire of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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98	The United States Appellts	vs: Steamship Sir Wm Peel
99	The United States Appellts	vs: Bark Seima & Cargo
100	The United States Appellts	vs: Schooner Jenny & Cargo
101	The United States Appellts	vs: Brig Washington & Cargo
102	The United States Appellts	vs: Bark Juanita & Cargo

On motion of Mr Evarts of Counsel for the appellees and with the consent of the Attorney General Crawley, it is now here ordered by the court that these causes be and the same are hereby set down for argument on Wednesday the 30th instant

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85	Ezra S. Stanley etal vs: Piffs in Error Elizabeth L. Colt plaintiffe in Error	The argument of this cause was concluded by Mr Evarts of counsel for the

---

	The United States	This cause was
83	vs. Appls	submitted to the
	José Francisco Arrejoria	consideration of the
	and	court on the record
	&c. Declaration & Interve-	and printed argu-
	nors (in the case of	ments, by Mr. Attorney General Stan-
	The United States	ley of counsel for
163	vs.	the United States
	José Francisco Arrejo	by the Clerk for Ap-
	ria &c	pellees and by

Mr Carlisle of counsel for the appellees

	Trullinkards Exrs &	This cause was
	Co. Plaintiffs	argued by the
337	vs.	Attorney General
	James Ketchie	Stanley of coun-
		sel for the defend-

ant and submitted on the record and printed argument by Mr Bartlett of counsel for the plaintiff.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Friday January 11th 1839

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David D. Gooding Esquire Marshal

Thomas Tilley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made in the Court in this behalf by Mr James M. Carlisle it is ordered that Andrew K. Cobb Esquire of New York City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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Friday January 11th 1833 continued

87	The United States vs. Jeffs James L. Heathaways use vs. The United States vs. Jeffs	This case was argued by Mr Attorney General & Sanbury of counsel for the plaintiffs and submitted on printed arguments by Mr Sanbury of counsel for the defendants
88	Ichabod L. Quinby	

89	The United States Jeffs in Error vs. Moses Maddocks use	The argument of this cause was commenced by Mr. Dallas Assistant Attorney General of counsel for the plaintiffs in Error and continued by Mr Sanderson of counsel for the defendants in Error

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Proclamation being made the court is adjourned until Monday morning at Eleven o'clock

---

Monday January 11th 1864

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

} Associate Justices

David S. Gooding Esquire Marshal

David Wesley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made in the Court in this behalf by Mr Kennedy Johnson, it is ordered that L. E. Holden Esquire of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly

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J. A. Cummings Plaintiff in Error vs. The State of Missouri	In Error to the Supreme Court of the State of Missouri

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court of the State of Missouri in this cause be and the same is hereby reversed with costs.

And it is further ordered and adjudged by this court that this cause be and the same is hereby remanded to the said Supreme Court of the State of Missouri with directions to enter a judgment reversing the judgment of the Circuit Court of Pike County in this cause, and also with directions to the said Circuit Court to enter an order discharging the defendant John A. Cummings from imprisonment

and dismissing him to depart without day

Chief Justice
Mr. Jus. Miller
Mr. Ch. Jus. Chase
Mr. Jus. Swayne
Mr. Jus. Davis

Mr. Jus. Field

Ex parte. In the matter of
A. H. Garland of Arkansas
Petitioner
6 orig.

and

Ex parte. In the matter of
R. H. Marr of Louisiana
Petitioner
8 orig.

Upon consideration of the petitions filed in these cases and the arguments of counsel had, as well in support of as against the same. It is now here ordered by the court that the prayer of the said petitioners be and the same is hereby granted

Mr. Jus. Field

Order of Court

It is now here ordered by the court that in accordance to the second rule of this court which requires the oath prescribed by the act of congress of January 24th 1865

to be taken by Attorneys and Counsellors to and the same is hereby revoked and annulled

---

The United States Jurigs vs The Honorable Ogden Hoffman, Dist Judge &c. for the Northern District of California	Upon consideration of the motion filed for a prohibition in this cause and of the argument thereupon had. It is now ordered by the Court that said motion be and the same is hereby overruled. Jus. M. Jus. Miller

---

Thomas J. Davidson Plaintiff in Error 51 vs W. L. Lanier, Curator of John J. McMahon deceased	In Error to the District Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the

District Court of the United States for the Northern District of Mississippi and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs: - and that this cause be and the same is hereby remanded to the said District Court with directions to award a new trial in conformity to the opinion of this court.

Mr. Ch. Jus Chase

Thomas J. Davidson
Plaintiff in error
v.
H. L. Lanier, Curator
of John J. McMahon
deceased

In error to the District Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississ-

insipi and was argued by counsel.
On consideration whereof it is now hereordered and adjudged that the judgment of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court with directions to award a new trial in conformity to the opinion of this court

Per Mr. Ch. Jus Chase

The Union Manufacturing Company
vs. Appellants
76 John P. Lounsbury,
Edward C. Bissell,
Samuel B. Bissell,
Charles C. Betts, and
Thomas B. Butler

Appeal from the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

Monday January 11th 1807 cont.

District of Connecticut and was argued by counsel. On consideration whereof, the court being equally divided it is now here ordered by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

The United States
vs Hepburn & Dandridge
Mess. Macdonald &c

The argument of this cause was concluded by Mr Attorney General Rawle of counsel for the Plaintiffs in Error

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Proclamation being made the court is adjourned until to-morrow morning ten o'clock

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Tuesday January 15th 1859

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

} Associate Justices

David S. Gooding Esquire Marshal
Daniel Bailey Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in that behalf by Mr R. T. Spalding it is ordered that Isaac Buckingham Esquire of Cleveland, State of Ohio, and J. M. Freeman Esquire of Washington City & Dist. of Columbia, be admitted to practice as attorneys and counsellors of

this court and they were sworn accordingly

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90 | The U. States ex rel L. A. Van Hoffman vs. Hoffman & Mor. The City of Quincy | The argument of this cause was commenced by Mr McKinnon of counsel for the plaintiff in error, continued by Mr Cushing of counsel for the defendant in error and concluded by Mr Merrick for the plaintiff in error.

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101 | The United States vs. Apts Clark's Foundry &c. John Clark et al. Claim to Interments | Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and on the motion of Mr Attorney General Clifford of counsel for the appellants, it is now here ordered, adjudged and decreed by

Tuesday January 15th 1867 continued

this court that this appeal be and the same is hereby dismissed

per Mr Ch. Jus Chase

	The United States	Motion filed
115	vs Appls	by the Attorney
	The Steamer Star of Congo	General Secretary of Commerce for the appellants to dismiss this appeal

---

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock

---

Wednesday January 16th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Salmon P. Chase	Chief Justice
	James M. Wayne	Associate Justices
	Samuel Nelson	
	Robert C. Grier	
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	
	David Davis	
	Stephen J. Field	

David S. Gooding Esquire, Marshal.

Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr B. C. Cook it is ordered that M. Russell Thayer Esquire of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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	Eliza Lefurtch et ux Plaintiffs in Error vs. Noel L. Evans	This cause was argued by Mr Gillet of counsel for the plaintiffs in Error

	Elihu Evans Plaintiff in Error vs. James Patterson	This cause was argued by Mr Wilson of counsel for the plaintiff in Error and submitted by the defendant in Error on printed argument

	James Ware et al Plaintiffs in Error vs The United States	This cause was submitted in the consideration of the Court on the record and printed arguments by Mr Wharton of counsel for the plaintiffs in Error and by Mr Attorney General Stanbery of counsel for the defendants in Error.

Benjamin L. Irvine Plaintiff in Error 94 vs John K. Irvine	Ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket

John Ross Plaintiff in Error 95 vs Franklin Slade &c	This cause was argued by Mr Gillet of counsel for the defendant in Error

Jno. G. Lash Plaintiff in Error 96 vs Lyman Dayton	Ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket

José Maria Mesa vs Appellant The United States	This cause was submitted on the motion to dismiss by the Attorney General Stanbery of counsel for the appellee

103	The United States vs. Appellants C.A. Weed et al. Claimants &c	The argument of this cause was commenced by Mr. Ashton Phelps and Attorney General for the appellants and continued by Mr. Coffey of counsel for the appellees

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock

Thursday January 4th 1855

Pursuant to adjournment the Court met this morning at the capitol

Present

The Honorable Salmon P. Chase, Chief Justice

Samuel N. Wayne
James M. Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David S. Gording Esquire Marshal

David Wilson Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Charles O'Conor it is ordered that John Slosson Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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Thursday January 1st A.D. 1880 continued.

On motion first made & the court in this behalf by Mr. J. M. Garfield it is ordered that John M. Langston Esquire of Oberlin, State of Ohio be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. A. J. Hamilton it is ordered that Charles E. Hope Esquire of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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On motion first made to the court in this behalf by Mr. J. A. Coffey, it is ordered that Robert Parsons Esquire of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Thursday January 17th 1867 continued

103 The United States vs. Appellants
C. A. Weed et al.

The argument of this cause was concluded by Mr Attorney General, of counsel for the appellants.

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104 Solomon T. Nichols & Company, Appellants vs. The United States

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims. On consideration whereof it is now ordered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed for the want of jurisdiction

per Mr. Chief Justice Chase

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105 The Howard Fire Insurance Company Plaintiffs in Error vs. Greenville M. Chase

This cause was argued by Mr Fessenden of counsel for the plaintiff in Error and

submitted on the record and printed arguments by the Counsel of counsel for the defendant in error.

William A. Gladden Plaintiff in Error vs Hiram Barney, Collector &c.	The argument of this cause was commenced by the Attorney of counsel for the Plaintiffs in Error, continued by Mr. Attorney General Hanscom of counsel for the defendant in Error, and concluded by Mr Slosson for the Plaintiff in Error.

108

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Friday January 18th 1850

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Lemuel P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David S. Gooding Esquire Marshal

David Wilkey Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Reverdy Johnson it is now here ordered by the Court that Bradley T. Johnson Esquire of Richmond, State of Virginia be admitted to practice as an attorney and counsellor of this Court

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On motion first made to the court in this behalf by Mr. George H. Williams it is ordered that P. William Gunthrie Esquire of Idaho City, Idaho Territory and B. F. Dowell Esquire of Jacksonville, State of Oregon, be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

On motion first made to the court in this behalf by Mr. J. S. Black it is ordered that C. C. Breckinridge Esquire of Northern State of Virginia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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Azelia Saulet, Widow
vs. Plaintiff in Error
vs.
Kezia D. Shepherd

54

On motion of Mr. R. Johnson on behalf of the Counsel of counsel for the defendant in Error) with the consent of Mr. Jarvis of counsel for the plaintiff in Error,

Friday January 18th 1861 continued

it is now here ordered by the court that this cause be and the same is hereby set down for argument on Tuesday the 12th day of February next.

Alexander W. Handsaker
Plaintiff in Error
vs.
190 The State of Missouri

Mr Kennedy Johnson of counsel for the plaintiff in Error with the assent of Mr Henderson of counsel for the defendant in Error, moved the court to enter a judgment affirming the judgment of the Supreme Court of the State of Missouri in this cause. Whereupon this court not being now sufficiently advised of and concerning what order to render in the premises took time to consider

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The United States
vs. Appellants
111 The Steamer Pearl
Cargo

The motion to dismiss this appeal was argued by Mr Ashton Assist. and Attorney General of counsel for the appellants in sup-

part of the motion

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260 William Garrison vs. Appellant Cass County | The motion to dismiss this appeal was argued by Mr. Carlisle of counsel for the appellee in support of the same, and by Mr Black of counsel for the appellee in opposition thereto

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260 William Garrison vs. Appellant Cass County | Appeal from the Supreme Court of Nebraska

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Nebraska, and it appearing to the court that no citation has been issued or served in this case it is now here on the motion of Mr Carlisle of counsel for the appellees, ordered, adjudged and decreed by this court that this appeal be and the same is

Friday January 18th 1807, continued

dismissed for the want of jurisdiction
per Mr Ch. Jus. Chase

Ferdinand Sparrow et al. Plffs in Error vs. Charles L. Strong et al.	The argument of this cause was commenced by Mr. George Richard Curtis of counsel for the plaintiffs in Error and continued by Mr Stewart of counsel for the defendants in Error.

107

Proclamation being made the Court is adjourned until Monday morning at Eleven o'clock.

Monday January 21st 1839

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Nathan Clifford
Noah H. Swayne — Associate Justices
Samuel F. Miller
David Davis
Stephen J. Field

David S. Gording Esquire Marshal

David Wesley Middleton Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Attorney General Stanbery, it is ordered that Seth W. Cobb Esquire of Lancaster, State of Ohio be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. R. Ball. Coming it is it is ordered that S. S. Henckle Esquire of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

The Mississippi & Missouri Railroad Company
Plaintiffs in Error
vs.
Patrick W. Kochler et al

In error to the Supreme Court of the State of Iowa

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that this writ of error be and the same is hereby dismissed for the want of jurisdiction

James G. Barrett Plaintiff in Error vs. Granville L. Kinsman	In error to the Circuit Court of the United States for the Southern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court.

And Mr Justice Swayne

Monday January 21st 1867 continued

Marshall Brown and John B. Shaw Plaintiffs in Error vs John Wiley and Emily F. Wiley	In Error to the Supreme Court of the District of Columbia

3 Wall.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and on the motion of Mr Merrick of counsel for the defendants in Error it is now here ordered and adjudged by this court that this writ of error be and the same is hereby dismissed for the want of jurisdiction

per Mr Ch. Jus. Chase

Jose Maria Alviso Claimant Appellant vs: The United States	Appeal from the District Court of the United States for the Northern District of California

9 Wall.

This cause came on to be heard on the transcript of the record from the District

Court of the United States for the Northern District of California, and on the motion of Mr. Attorney General Stanbery, of Counsel for the Appellees - it is now here ordered, adjudged, and decreed, by this Court that this appeal be, and the same is hereby dismissed for the want of jurisdiction.

for Mr. Ch. Jus. Chase

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111 The United States Appellants vs. The Steamer Pearl &c Cargo

On consideration of the motion of the Attorney General U S filed to dismiss this appeal and the argument thereupon had in support of the same - It is now here ordered by the Court that said motion be, and the same is hereby overruled.

The Chief Justice announced to the Bar, that on the first Monday of March the court will take a recess to the first Monday of April, and then resume its sittings.

The Washington Alexandria & Georgetown Steam Packet Company
Plaintiff in Error
123 Vs.
Frederick E. Sickles & al

Mr. Carlisle of counsel for the plaintiff in Error having filed and read in open Court a suggestion of a diminution of the record in this case, in the words and figures following to wit:

1. Writ (Original)
2. Declaration
3 Plea
11 Certificate and notice and papers belonging to deposition of Job Corson.
11th Exception
5. Assignment of Errors 6. on 3rd Exception

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Supreme Court of the District of Columbia, Commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of

the said Supreme Court wherein
omissions and errors shall be found -
On consideration whereof it is now here
ordered and decreed by this Court that
a writ of Certiorari be and the same
is hereby awarded to be issued forthwith
and to be directed to the Judges of the
said Supreme Court commanding that
searching the records and proceedings
aforesaid they forthwith certify to this
Court under the seal of the said Su
preme Court whatever omissions and
errors shall be found in this cause
and return the same with the said
writ of certiorari forthwith to this
Court.

Jno M. C. Jus Chase

301 The People of the State of N Y and D Dewis Com of Taxes
302 . . . . . R S Kennedy vs . . . .
303 . . . . . A J Lowe vs:
304 . . . . . P M Bryson vs: . . .
305 . . . . . J Bodine vs . . . .
306 . . . . . T J Palmer vs: . . .
307 . . . . . R Mead vs: . . . .

308 The Sup. Ct. of the State of Alabama } Pets. vs Com. of Lands
309 } J.E. Williamson vs. . . . .
310 } C. Cowan vs. . . . .
311 } J. Lecher vs. . . . .

On motion of Mr. Carlisle (on behalf of Mr. C. Gorman of Counsel for the defendant in error it is now here ordered by the court that the clerk have leave to issue the mandates in these cases.

1120 Joseph de Hart et al Appellants vs. The United States

On consideration of the motion made in this case on Saturday the 16th inst by the respective counsel - it is now here ordered by the court that this cause be and the same is hereby set down for argument on the 20th of February next.

Erastus Sparrow et al
Plaintiffs in Error
Vs:
The United States

The argument of this cause was continued by Mr Black of counsel for the defendants in Error and concluded by Mr. O Conor of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock

Tuesday January 22nd 1867

Pursuant to adjournment the court met this morning at the capitol.

Present

The Honorable Salmon P Chase Chief Justice

James M. Wayne
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David S. Gooding Esquire Marshall

David Wesley Middleton Clerk

Proclamation being made the court is opened

On motion first made to the court on this day by Mr. S. A. Goodwin, it is ordered that Ira J. Nichols and Edwin C. Sacred Esquires of Chicago, State of Illinois, be admitted to practice as attorneys and Counsellors of this court and they were sworn accordingly.

	The Brig Island Queen Appellant vs The United States	Ordered of Mr Attorney General Stanbery Set for argument on the 30th inst. with the prize cases assigned for that day

138

	Samuel A Parmalee Appellant vs Andrew J. Simpson	Mr Carlisle of Counsel for the appellant having filed a suggestion of the death of Samuel A Parmalee the appellant, and the appearance of D S Parmalee and Francis Smith Executors and Martha A Parmalee Executrix of the last will and testament of said Samuel A. Parmalee moved the court for an order substituting the said Executors and Executrix and making them the appellants in this cause in the place of said Samuel A Parmalee deceased. On consideration whereof, it is now here ordered by the court that the appear-

130

ors of said C. S Saimaes. &c Francis Smith. Executors. and Martha A. Parris Executrix of the last will and testament of Samuel S Saimaes deceased, as the aforesaid be. and the same is hereby entered as appellants and that they are hereby made the appellants in this cause with the right to prosecute this appeal.

per Mr. Ch: Jus. Chase

Samuel Marian et al
Appellants
vs.
The United States et al.

110

This cause was argued by Mr Williams of counsel for the appellants and submitted on printed argument by Mr. Attorney General Stanbery of counsel for the Appellees.

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111. The United States Appellants vs. The Steamer Pearl & Cargo

This cause was submitted to the consideration of the Court on the Record and printed arguments by Mr Attorney General Stanbery of Counsel for the appellants and by Mr Eaton of Counsel for the appellees.-

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112. The Schooner Flying Scud &c Cargo &c Cayetano Soler Adolfo and Lefty Santos Coy Claimants and Appellants - vs. The United States

Appeal from the District Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and the appellants having been three times solemnly called by the Marshal to come into Court and prosecute their

(Received and Annulled January 29th 1867)

appeal, and failing to appear it is
thereupon on the motion of Mr Attorney
General Stanbery of counsel for the appel-
lee, now here ordered, adjudged and
decreed by this Court that this appeal
be and the same is hereby dismissed
per Mr. C. Jus. Chase

William Forbes, James Russel, William Elliott, Benjamin Peters & Robert Fox Plaintiffs 113 vs. John Frobisher	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern district of Pennsylvania.

This cause came on to be heard on
the transcript of the record from the Cir-
cuit Court of the United States for the
Eastern District of Pennsylvania, and it
appearing to the court that there is no
point of law certified to this court,
upon which the Judges of said Circuit
Court were opposed in opinion - it

is now here ordered by this court that this cause be, and the same is hereby dismissed for the want of jurisdiction. And that it be so certified to the said Circuit Court.

per. Mr. Ch. Jus. Chas

114 Edward Kelly &al Plaintiffs in Error
vs.
Lemuel Crawford &al

The argument of this cause was commenced by Mr Isa. S. Nicholas of Counsel for the Plaintiff in error, continued by Mr. Mercer of Counsel for the defendant in error and concluded by Mr Nicholas for the plaintiff in error

115 The Society for Savings Plaintiffs in Error
vs.
Gabriel Code Treasurer &c

Ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Wednesday January 23rd 1867

Pursuant to adjournment the court met this morning at the capitol.

Present

The Honorable Salmon P Chase Chief Justice

James M Wayne
Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
} Associate Justices

David S Gooding Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the court was opened.

On motion first made to the court in this behalf by Mr. J A Goodwin, J A Mann Esquire of Chicago. State of Illinois was admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Mary Sunday & Elizabeth Sunday by their next friend John G Nixon, Isaac T Nixon, Lunsford C Nixon, Eugenia Nixon & Christopher C Nixon, Minors by Mr. Nixon their next friend Plaintiffs

vs.

Benjamin J. Jackaway & Samuel Dickens

On a certificate of division in opinion between the Judges of the Court of the United States for the Eastern district of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern district of Arkansas and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this court for its opinion agreeably to the act of congress in such case made and provided and was argued by counsel - On consideration whereof it is the opinion of this Court that the questions certified

must be answered in the affirmative.
Whereupon it is now here ordered, adjudged and decreed by this Court that it be so certified to the said Circuit Court.

per Mr. Jus. Grier

Albert G. Goodrich et al
Appellants
vs.
116 The City of Chicago

This cause was argued by Mr Goodwin of Counsel for the Appellants and submitted on printed argument by Mr. Trowbridge of Counsel for the appellee.

Noah G. Stack et al.
Plaintiffs in Error
vs.
117 Lorana Trumbull et al.

The argument of this cause was commenced by Mr. Lynde of Counsel for the plaintiffs in Error continued by Mr. Wade of Counsel for the defendant in error and concluded by Mr. Lynde for the plaintiffs in Error.

Wednesday January 23rd 1867

Mingo Campbell
Plaintiff in Error
vs
The City of Keosha

The argument
of this cause
was commenced
by Mr Lynde
of counsel for
the plaintiff in Error. -

Proclamation being made the court
is adjourned until tomorrow morn
ing at eleven o'clock.

Thursday January 24th 1867.

Pursuant to adjournment the court met this morning at the capitol

Present

The Honorable Salmon P Chase Chief Justice

James M Wayne
Robert C Grier
Nathan Clifford — Associate
Noah H Swayne — Justices
Samuel F Miller
David Davis
Stephen J. Field

David S Gooding Esquire, Marshal
David Wesley Middleton, Clerk

Proclamation being made, the court is opened.

On motion first made to the court in this behalf, by Mr James M Carlisle, it is ordered that Samuel F. Phillips Esquire of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Thursday January 24th 1867 - Continued.

Monya Campbell Plaintiff in Error 118 vs. The City of Omaha	The argument of this cause was concluded by Mr Joyne of counsel for the Plaintiff in Error - No counsel appearing for the defendant in error.

John G Kunsbrough &c. Appellants 119 vs Philip F. M. Peck	This cause was submitted to the consideration of the court on the record and printed arguments by Mr Armagler of counsel for the appellants and by Mr Joyne of counsel for the appellees.

The Schooner Harriet Ross &c. 120 vs. The Corn Exchange and Inland Navigation and Fire Insurance Company	This case was argued by Mr Ruland of counsel for the appellee and submitted on printed argument by Mr Hilland of counsel for the appellants.

Thursday January 24. 1867 continued

	James H. Nordwick &c Appellant. vs. The Corn Exchange & Inland Navigation & Fire Insurance Co and James H. Nordwick &c. Appellant vs. The Corn Exchange & Inland Navigation and Fire Insurance Co.	These cases were argued by Mr Fox of Counsel for the appellees and submitted on printed arguments by Mr. Hubbard of Counsel for the appellants.
121 122		
123	The Washington Navigation & Towing Steam Packet Company. Plaintiffs in Error vs. Tinnick & Sickles et al	Ordered by the Court that this case be postponed until Monday next on account of sickness of Counsel.

Thursday January 24th 1867 - continued

James B Townsend et al. Plaintiffs in Error vs. George G. Grady	This cause was submitted to the consideration of the court on the

124.

record with leave to counsel to file printed argument within ten days.

J. Mandlebaum et al Plaintiffs in Error vs. The People of the United States in the Territory of Nevada.	This cause was submitted to the consideration of the court on the record and printed argument by Mr Cox for Mr Nelson of Counsel for the plaintiffs in Error. No counsel appearing for the defendants in error.

125.

The Gould & Curry Silver Mining Company Plaintiffs in Err. vs. The People of the United States in the territory of Nevada	Ordered by the Court that the cause be & the same is hereby continued to the next term of this court

126.

The Mayor &c of the City of New York Plaintiffs in Error
vs.
William F. Hoffman

Ordered by the Court that this Cause be and the same is hereby postponed until after the argument on No 123 on Monday next.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock

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Friday January 25 18

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
James M. Wayne
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Associate Justices

David S. Gooding Esquire, Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made, the court is opened

On motion first made to the court in his behalf, by Mr. Attorney General Stanbery it is ordered that Francis H. Kales, Esquire of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Motion first made to the court in this behalf by Mr J. H. Fuller it is ordered that H. J. Mather Esq of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The Steamboat "Ad Hine" Plaintiff in Error
vs.
175 Matthew R. Trevor

This cause was submitted to the consideration of the court on the record and printed arguments by Mr Grant of counsel for the plaintiff in Error and by Mr J. F. Cook of counsel for the defendant in Error.

The Board of Supervisors of Marshall County Plaintiffs in Error
vs.
151 R. C. Schenck

This cause was submitted to the consideration of the court on the record and printed arguments by Mr R. C. Cook of counsel for the plain-

diff. in error and by Mr. Tuller of
Counsel for the defendant in error.

Kenzie Bates Plaintiff in Error vs: William N. Brown	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Bertinatti of Counsel for the plaintiff in Error and by Mr. Tuller & Mr. Mather of Counsel for the defendant in error.

112

William S. Long Plaintiff in Error vs: E. C. Kimball	Ordered by the Court that this cause be and the same is hereby continued to the next term of this Court

128

Charles D. Scupt Plaintiff in Error vs. George Hager	Motion to dismiss this cause was argued by Mr. Wells in support

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of the same continued by Mr. S. Johnson on opposite hand to be continued by Mr. Hitt in support of the motion. Whereupon this Court not being now here sufficiently advised of, and considering what order to make in the premises took time to consider.

Allen Robbins &c
Plaintiff in Error
vs
The City of Chicago

1932

Mr. Hitt of Counsel for the plaintiff in Error having filed a Suggestion of the death of George S. Robbins Esq. one of the Plaintiffs in Error and of the appearance of George A. Robbins Esq. of the last will and testament of Allen Robbins deceased, but who had heretofore declined to act, moved the Court for an order substituting the said George A. Robbins in the said cause to make him the appellant in the place of the said George S. Robbins deceased. On consideration whereof it is now here ordered by the Court

that the appearance of said George W. Robbins Esq. of the last will and testament of said Helen Robbins deceased, as aforesaid be and the same is hereby ordered as the appearance of the said Plaintiff in Error and that he have leave to prosecute this writ of Error.

Per the Court, Scates Chief Justice

George A. Robbins Esq. of Helen Robbins dec'd. Plaintiff in Error

vs.

The City of Chicago

Hoyne and Lathrop for the Plaintiff in Error

Leake & Walker for the Defendant in Error

Richardson Esq. moves the Court is adjourned until Monday Morning at Seven O'clock.

Monday January 28th 1867

The Court be adjourned the Court met this morning at the Capitol.

Present

The Honorable Samuel Nelson Chief Justice

James M. Wayne
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Associate Justices

David D. Pudley Esquire Marshal
Daniel Kelley Minister Clerk

Proclamation being made the Court is opened

On motion first made to the Court on this behalf by Mr James M. Carlisle it is ordered that William I. Sheffield Esquire of Newport State of Rhode Island be admitted to practice as an Attorney and Counsellor of this Court and he

was sworn accordingly.

On motion first made to the court on this behalf by Mr. R. T. Merrick it is ordered that Joseph C. Bloxl Esquire of the State of Virginia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court by Mr. J. A. Davidd. it is ordered that Curtis C Gardner Esquire of Elmira State of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court on this behalf by Mr. R. Johnson it is ordered that W. L. Hunter Esquire of Jackson State of Mississippi be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Friday January 25 1867 Continued

The United States Appellant vs Jose Jesus Vasquez et al	Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern district of California and was argued by counsel - On consideration whereof it is now here ordered, adjudged & decreed by this court that the decree of the said District Court in this cause be, and the same is hereby affirmed. And that this cause be and the same is hereby remanded to the District Court of the United States for the District of California.

per Mr Justice Field

163. A. J. Jones Asp Valois Del Solomons Appellants in the case of the United States vs. Jose Francisco Armejo Del of California

Appeal from the Circuit Court of the United States for the Northern District.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District court in this cause be and the same is hereby affirmed. And that this cause be and the same is hereby remanded to the District Court of the United States for the District of California.

per Mr. Justice Field

Monday January 28th 1867. Continued

The United States Appellant vs. Josefa Mendoza G.E. Serrano widow &c. et. al. and Ramona Serrano et. al. heirs of Lunardo Serrano deceased	Appeal from the District Court of the United States for the South'n Dist. of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by counsel — On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said district court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the District Court of the United States for the District of California with directions to enter an order dismissing the claimants petition.

Per the Justices Grier

Olga Leftwich et al
Plaintiffs in Error
vs.
Noel L Lecanu

In Error to the Circuit Court of the United States for the Eastern

91

District of Louisiana —

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest on the said at the same rate per annum, that similar judgments bear in the courts of the State of Louisiana, and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Louisiana

per Mr. Justice Miller

Monday January 28th 1867. Continued

Samuel Hare & John Baird Plaintiffs in Error 93. vs. The United States	In Error to the Circuit Court of the United States.

for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania & was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

Per Curiam. Mr. Justice Clifford

The United States Plaintiff 61 vs. Rufus P. Vassar	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Northern District of New York.

Monday January 28th 1867 Continued -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and on the point or question on which the said Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel - On consideration whereof it is the opinion of this Court that the question certified must be answered in the affirmative. Whereupon it is now here ordered adjudged and decreed by this Court that it be so certified to the said Circuit Court.

per Mr. Ch. Jus. Chase

The United States Plaintiff in Error vs: Samuel Schureman	On error to the Circuit Court of the United States for the District of New Jersey

68

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by Counsel - On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause in this behalf be and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein, in conformity to the opinion of this Court.

Joseph P. Bradley Chase

The United States Plaintiff in Error.	In Error to the Circuit Court of the United States for the District of New Jersey.
vs.	
Thomas Dunn	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was

of

argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed - And that the cause be & the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court.

per Mr. Ch. Jus. Chase

The United States Plaintiff in Error vs. John Peatty of New Jersey	In error to the Circuit Court of the United States for the District

70

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by Counsel - On consideration whereof it is ordered

ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed - And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

per C. J. Chase.

The United States Stanley in Error vs. John Shilly	In Error to the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by Counsel - On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed - and that this cause be and

the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr. Chief Justice Chase

The United States Plaintiff in Error vs. Isaac Tower	In error to the Circuit Court of the United States for the Dist.
District of New Jersey.	

72

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed. And that this cause be and the same

is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Per Mr. Chief Justice Chase

The United States Plaintiffs vs. Nancy Swain	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the district of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts. And on the points or questions on which the said judges of the said circuit court were opposed in opinion and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consid

cation whereof it is the opinion of the Court that the two questions certified must be answered in the affirmative. Whereupon it is now here ordered, adjudged and decreed by this Court that it be so certified to the said Circuit Court.

per M. Ch. Justice Chase

The United States Plaintiffs vs. William Croft	Certificate of division of opinion between the Judges of the Circuit Court

355

of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the point or question on which the Judges of the said Circuit Court were opposed in opinion and which was certified

to this court for it opinion agreeably to the act of congress in such case made and provided, and was argued by counsel. On consideration whereof it is the opinion of this Court that the law imposing the special tax in the indictment mentioned and for the non payment of which said indictment was prefered and found is valid and not unconstitutional. Whereupon it is now here ordered adjudged and decreed by this court that it be so certified to the said Circuit Court

for the Chief Justice Chase

The United States
Plaintiff
vs
William Craft

356

On a certificate of division in opinion between the judges of the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the

Circuit of the United States for the South
ern District of New York, due on the point
or question on which the Judges of the
said Circuit Court were opposed in opin
ion and which was certified to this
Court for its opinion, agreeably to the
Act of Congress in such case made &
provided and was argued by counsel.
On consideration whereof it is the
opinion of this Court that the Law
imposing the special tax in the
indictment mentioned and for the
non payment of which said indictment
was prefered and found, is valid
and not unconstitutional — Where
upon it is now here ordered, adjudged
and decreed by this Court that it be
so certified to the said Circuit Court

Per Mr. Ch. Justice Chase

	Antonio Soares Jaman Appellant v. The United States for the Southern District of California	Appeal from the District Court of the United States
180		

Monday January 26th 1867 Continued

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Stanbery Attorney General for the appellee to dismiss this appeal because the said transcript of the record was not filed during the term next succeeding the appeal. On consideration whereof it is the opinion of this Court, that the motion should be granted on the ground that the appeal had not been prosecuted in the manner directed and within the time limited by the Act of Congress for filing the transcript in this court during the next succeeding terms aforesaid. It is therefore, now here ordered and decreed by this court that this appeal be and the same is hereby dismissed.

per Mr Chief Justice Chase

Monday January 25th 1869 Continued

	The Milwaukee & Minnesota Railroad Company vs. Oliver Peck	On consideration of the motions filed in these causes to cancel Supersedeas and to dismiss Writs of Error and of the Arguments thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said motions be and the same are hereby severally
353		
	James I. Fuller, Survivor &c.	
	And	
	Alexander Fleming Appellant	
354	vs.	
	James I. Fuller, Survivor &c.	

overruled

	Geo. M. Rollins Exr. of Wm. Rollins dec'd	The argument of this cause was concluded by Mr. S.
132	vs. Plaintiff in Error	Trumbull for the plaintiff in error.
	The City of Chicago	

	The Washington Alexandria & Georgetown Steam P. Co.	The argument of this cause was commenced by Mr.
	vs. Plff. in Err.	Swayne of counsel for the
	Daniel E. Sickles	plaintiff in Error; continued by Mr. Bradley of counsel for the defendants in error & by Mr. Carlisle for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 29th 1867

Pursuant to adjournment, the court met this morning at the Capitol.

Present.

The Hon. Samuel Chas. Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis

} Associate Justices

David Serrano Esquire, Marshal.
Daniel Ring Jr Esquire, Clerk.

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by R. Carlisle it is ordered that Lucius H. Hopkins Esquire Barrister, Attorney of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the court on his behalf by Mr James M. Woolworth it is ordered that James "Tuft, Esqr of Virginia City, Territory of Montana be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly

The Schoon "Flying Scud" &c Cargo &c. - Appellants vs. The United States	Mr Wirt in behalf of Appellant moved the

112

Court to reinstate this cause on the docket the appeal having been dismissed on the 22nd inst: under the 6th Rule. to which motion Mr Attorney General Stanbery of counsel for the appellees assented. Upon consideration whereof it is now here ordered by the court that the decree entered on the 22nd inst. dismissing the appeal in this cause be and the same is hereby Escinded and annulled and that this cause be, and the same is

being re-instated on the docket of this Court

The Washington Alexandria & Georgetown Steam Boat Co Plaintiff in Error vs 123 Richard C. Parker	The argument of this cause was concluded by Mr Carlisle of counsel for the plaintiff in Error.

The Mayor &c of the City of New York Plaintiff in Error vs 127 William F. Sheffield	The argument of this cause was commenced by Mr C. German of counsel for the plaintiff in Error continued by Mr Sheffield the defendant in error and concluded by Mr C. German for the plaintiff in Error.

Tuesday January 29th 1867 - Continued

129	The United States Appellants vs. Louis Pauline Le Gardeur de Repentigny et al	Counsel appointed & counsel was ordered by the Court that as additional time be granted such counsel for the appellants and for hours be allowed Mr. Howard, the counsel for the appellees, to his argument of this cause.
129	The United States Appellants vs. Louis Pauline Le Gardeur de Repentigny et al	The argument of this cause was commenced by Mr. Russell of counsel for the Appellants.

Thereupon Court was made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday January 30th 1867

Pursuant to adjournment the court met this morning at the Capitol.

Present —

The Hon. Salmon P. Chase Chief Justice
James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
} Associate Justices

David S. Harding Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion just made to the Court in this behalf by Mr. Attorney General Stanbery it is ordered that Hill Carr P. Hill Esquire of Detroit State of Michigan be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Wednesday January 30th 1867 Continued

	William Pott Sheriff, &c. Error vs. John Kingsland	This cause was submitted to the consideration of the court on the docket
320		

and printed arguments by Mr. Black and Mr. Metzner of counsel for the plaintiff in Error, and by Mr Sale of counsel for the defendant in Error.

	The United States Appellants vs. Louis Paulino St Pardon de Repentigney et al	The argument of this cause was continued by Mr. Russell of counsel for the appellant and by Mr Howard of counsel for the appellees
129		

Proclamation being made, the Court is adjourned until tomorrow morning at seven o'clock.

Thursday January 31st 1867

Pursuant to adjournment, the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
} Associate Justices

David D. Gooding, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by the Chief Justice it is ordered that Clarence L. Burnell Esquire of New York City, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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Thursday January 31st 1867 Continued -

	The Board of Supervisors of Rock Island County Plaintiffs in Error	The cause was submitted to the consideration of the Court on the record and printed arguments by
185	vs:	
	The United States use The State Bank	

Mr. R. G. Cook of counsel for the plaintiffs in Error, and by Mr. James Grant of Counsel for the defendant in Error.

	The United States Appellants	The argument of this cause was continued by Mr Stuart of Counsel for the appellants.
129	vs:	
	Laure Pauline Le Gardeur de Repentigny et al	

and by Mr Attorney General Stanbery of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. -

Friday February 1st 1867.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Hon. Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
} Associate Justices

David K. Cartter Esquire Marshal
James Hickey Middleton Clerk.

Proclamation being made the court is opened.

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61 The United States vs Rufus B. Vassar
68 " " " Samuel Schuyman
69 " " " Thomas Green
70 " " " John Beatty
71 " " " John Sterling
72 " " " Frank Bowen
333 " " " Lyman Swain
355 " " " William Craft
356 " " " William Craft

Friday February 1st 1867 Continued -

On motion of Mr Attorney General Stanbery it is now here ordered by the Court that the Clerk have leave to issue the mandate in these cases forthwith.

Edwin Seymour et al Plaintiffs in Error vs: 111 L C P Van Cortlandt et al Defendants	The motion of the Defendants in Error this day made by Mr Hall in support of the same - and submitted on a written brief by Mr Stanbery in opposition to the motion

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The United States Appellants vs: 129 Louis Pauline St Gardens de Repentigny et al Appellees	The argument of this cause was concluded by Mr Attorney General Stanbery for the appellants.

Friday February 26th 1864 Continued

	Samuel A. Fairchild Appellant vs. Hyacinth Simpson	This cause was argued by Mr. Carlisle of counsel for the appellant and submitted on printed argument by Mr. Key of counsel for the appellees
130		

	The United States Appellants vs. The Steamship Sea Nymph &c and The Steamship Sea Nymph &c Appellants vs. The United States	The argument of these cases was commenced by Mr. Att. Gen. for Appellants Messrs. Hoard of Counsel for the United States
91		
231		

Termination being made the Court is adjourned until Monday Morning at eleven o'clock.—

Monday January 14th 1867.

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

} Associate Justices

David S. Gooding Esquire Marshal
Daniel Henry Middleton Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Ready Johnson it is ordered that George W. Jones Esquire of Clarksburg State of West Virginia be admitted to practice as an Attorney and Counsellor of

this court and he was accordingly

W. Stanwood "Mary Taylor" Plaintiff in Error vs: Helen McManus	Error to the County Court of the County and City of

80

San Francisco

This cause came on to be heard on the transcript of the record of the County Court of the City and County of San Francisco and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said County Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said County Court with directions to dismiss the action for the want of jurisdiction.

per Mr. justice Field.

Monday January 11th 1847 continued.

Samuel Nelson Jr Elijah Hollingsworth & John T. Pause. Plaintiffs in Error vs. The United States	Error from the Circuit Court of the United States for the Southern District of New York.

110

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York. and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr. Justice Davis

Nathan Bradley Claimant of the proceeds of the sale of the Schooner Samuel Fox &c. lately Appellants Appellant	Appeal from the Circuit Court of the United States for

120 | vs | The Northern District of Illinois.

The Corn Exchange Insurance and Ins Insurance Co

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Miller

James W. Goodrich Claimant &c Intervenor of the proceeds of the sale of the Steamer Island Queen

Appellant

121 | vs.

The Corn Exchange Ins Insurance Co.

Appeal from the Circuit Court of the United States for the Northern District of Illinois

Monday February 11th 1867 Continued -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Jus. Miller

James McWorth Claimant & Appellant of the proceeds of the vessel & Cargo of Daniel Ross.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.
Ira Jacklin &c. Appellant vs.	
The Corn Exchange Ins. Co. and Navigation and Fire Insurance Company	

122

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the Northern District of Illinois
and was argued by Counsel -
On consideration whereof it is now
here ordered adjudged and decreed
by this Court that the decree of the
said Circuit Court in this cause be
and the same is hereby affirmed with
Costs

Per Mr Justice Miller

The United States use Lewis A Ver Hoffman Plaintiff in Error vs The City of Quincy	In error to the Circuit Court of the United States for the Southern District of Ill:

for

This cause came on to be heard on the
transcript of the record from the Cir-
cuit Court of the United States for the
Southern District of Illinois and was
argued by Counsel - On consideration
whereof it is now here ordered and
adjudged by this Court that the judg-
ment of the said Circuit Court in this
cause be and the same is hereby

Interest with costs. Ordered that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of the court.

Mr. Justice Swayne

116

Miles E Greenwood and George C Frew vs. The City of Chicago	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. - On consideration whereof it is now here ordered and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Mr. Justice Swayne

59 The United States
Plaintiff in Error
vs
Moses Hazelwood, Jesse
Merrill, Samuel Jordan
and Harrison J. Libby

In error to
the Circuit
Court of the
United States
for the Dis-
trict of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr. Justice Clifford.

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78 Elihu Evans
Plaintiff in Error
vs
James Patterson
of Pennsylvania

In error to the
Circuit Court
of the United
States for the
Western District

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by counsel - On consideration whereof it is ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs for the plaintiff

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Charles D. Semple Plaintiff in Error vs: George Nuger	In Error to the Supreme Court of the State of California

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California and on the motion of Mr Wells of counsel for the defendant in Error - It is now here ordered and adjudged by this court that this writ of Error be and the same

is hereby dismissed for the want of jurisdiction

for Mr. Justice Grier.

Elias S. Stanley. Isaac F. Stanley Henry T. Stanley and Edward A. Stanley Plaintiffs in Error vs:	In error to the Circuit Court of the United States for the District of
35 Elizabeth J. Coit	

Monday February 11th 1867 Continued -

The United States Plaintiff vs: 87 James S. P. Nathaway & Rufus C. Nathaway	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Michigan -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of congress in such case made and provided and was argued by counsel -

On consideration whereof it is the opinion of this Court that the first question certified must be answered in the affirmative which renders it unnecessary to answer the

remaining the questions on which it is now here ordered argued and decreed by this Court that it be so certified to the said Circuit Court

per Mr. Justice Nelson

The United States Plaintiffs vs. Richard I Dandy	On a certificate of division in opinion between the Judges of the Circuit Court

88

of the United States for the Eastern District of Michigan

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and on the points or questions on which the judges of the said Circuit Court were opposed in opinion and which was certified to this Court for their opinion agreeably to the act of Congress in such case made and provided and was argued by counsel - On

consideration whereof it is the opinion of this court that the first question certified must be answered in the affirmative, which renders it unnecessary to answer the remaining five questions - Whereupon it is now here ordered, adjudged and decreed by this court that it be so certified to the said Circuit Court

Jno. Tucker Jas. Watson

Erastus Sparrow and Joseph Isard
Plaintiffs in Error
vs.
Chas. F. Stone, Geo. A. Coit, Chas. E. Coit, Robert Taylor, Joseph Carter, A. Thompson, John Fleming, John C. Earl, S. H. Reed and A. H. Raymond

In Error to the Supreme Court of the District of Florida

This cause came on to be heard on the transcript of the record from the Supreme Court

Monday February 4th 1867 continued

of the County of Nueces was argued by counsel - On consideration whereof it is now here ordered and adjudged by this court that this writ of error be and the same is hereby dismissed for the want of jurisdiction - And that this cause be, and the same is hereby remanded to the Supreme Court of the State of Nevada.

per Mr Chief Justice Chase

The United States Appellant vs 98 The Steamship Sea Bird &c and The Steamship Sea Bird &c Appellants vs 250 The United States	The argument of this case was continued by the Attorney General for the United States and by Mr Phillips of Counsel for the claimants.

Proclamation being made the court is adjourned until tomorrow morning at ten o'clock

Tuesday February 5th 1861

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Hon'ble Salmon P. Chase, Chief Justice
James M. Hayes
Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis
Stephen J. Field

David S. Gooding Esqure, Marshal
Daniel Hesley Chandler, Clerk

Proclamation being made the Court is opened.

The United States
Appellants
vs:
The Steamship Sir Wm Peel &c.
and
The Steamship Sir William Peel &c

The argument of this cause was continued by Mr. Marvin and Mr. Evarts of

Tuesday February 5th 1867. Continued.

350 vs
The United States

Counsel for
the Claimants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock A.M.

Wednesday February 6th 1867

Pursuant to adjournment the court met this morning at the Capitol

Present

The Hon. Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate justices

David T. Gooding Esqr. Marshal
James Henry Middleton, Clerk

Proclamation being made the court is opened.

On motion first made to the court in due behalf by Mr. Wm. M. Evarts it is ordered that George H. Bruce Esqr. of New York City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Wednesday February 6th 1867 Cont'd

The motion just made to the court in the case of the Canada J. Peck, Esquire it is ordered that John H. Jewett Esquire of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this court and he was, accordingly.

98

The United States
Appellants
vs
The Steamship Sir W. Peel Cargo.
And
The Steamship Sir W. Peel Cargo
vs
The United States

The argument of these cases was concluded by Mr. Eames of counsel for the Captors.

101

The United States
Appellants
vs.
The Brig Flashing Wave and
The Brig Flashing Wave

The argument of these cases was commenced by Mr. Ashton Asst. Atty. Genl. of Counsel for

Wednesday February 6th 1867

	(Appellants	The United
253	vs:	States, and cr
	The United States	tried by M
		Marvin and

Mr. Evarts of Counsel for the claimant

Proclamation being made the co
is adjourned until tomorrow, Thu
-ing at Eleven o'clock.

Thursday February 7th 1850.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Hon. Edward D. Chas. Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Associate Justices

David S. Terry Esquire Marshal
Daniel Tenney Esquire Clerk

Proclamation being made the court is opened.

On motion duly made to the court in the behalf by Thos. J. Williams it is ordered that D. S. Terry Esquire of California, State of California be admitted to practice as an Attorney and Counsellor of this court, and he was sworn accordingly.

Thursday February 7th 1867 - Continued -

On motion first made to the court in this behalf by Mr. J. Hitchcock Ordered it is ordered that John J. Reed, Esquire of Illinois State of St Louis be admitted to practice as an attorney and counsellor of this court, and he was sworn as ordered.

	The Mayor &c. of Norman of the City of Galena Plaintiffs in Error	This cause was submitted to the court
1121	vs.	on the record
	The United States, and H. Army	and printed arguments by Mr. Jewell of counsel for the plaintiffs in Error and by Mr. Grant of counsel for the defendants in Error.

	William N. McGrot Appellant	The cause was submitted
282	vs.	to the court
	The United States	on the record

on the record and printed arguments by Mr. Field and Mr. Hunt of Counsel for the appellant and by Mr. Peck (Asst. Solicitor of the Court of Claims) of Counsel for the appellees.

The United States Appellants vs. 101 The Brig "Taking Hope" &c. And The Brig "Taking Hope" &c. Appellants vs. 253 The United States for the United States	The argument of these cases was conducted by Mr. Colton Assistant Attorney General of counsel

The United States Appellants vs. 99 The Bark "Seizure" &c The Bark "Seizure"	The argument of these cases was commenced by Mr. Colton Assistant Attorney General of Counsel for

	Appellant	The United
251	vs:	States. con-
	The United States	tinued by
	and	Mr. Marvin
	The Brig Volant & Cargo	of counsel for
	Appellant	the claimants
138	vs:	and concluded
	The United States	by Mr. Ashton
		for the U. S.

	The United States	The argument of
	Appellants	this case was
100	vs:	commenced by
	The Schooner Jenny &c.	Mr. Ashton
	and	Asst. Attorney
	The Schooner Jenny &c	General of
	Appellants	Counsel for
252	vs:	the United
	The United States	States. con-
		tinued by

Mr. Marvin of counsel for the claimants and concluded by Mr. Ashton for the United States.

Thursday February 7th 1867 - Continued -

	The United States Appellants vs: The Bank Louisville &c.	This cause was argued by Mr. R. Johnson of counsel for the claimants and submitted on the record and printed argument by Mr. Hoblow Asst. Attorney General of counsel for the United States.

1102

Proclamation being made the court is adjourned until tomorrow at Eleven O'clock. —

Friday February 5th 1864

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief justice

James M. Wayne
Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Associate Justices

Wm A Gooding Esquire Marshal.
David Neeley Middleton Clerk

Proclamation being made the court is opened.

On motion first made to the court on his behalf by J. Sidney Norton Esquire, William C Noyes Esquire of New York City was admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion ordered to the court
on this behalf by Mr R. M.
Corwine, it is ordered that Charles
T. Howard, Esquire of Cincinnati
State of Ohio be admitted to practice
as an attorney and counsellor of
this court and he was sworn ac-
cordingly.

	Josiah M. Nan et al Appellants vs: The United States	On motion of Mr Attorney General Stanbery it is now here

ordered by the court that this cause be set for argument on the 1st Monday of May next instead of the 2d February as ordered on the 4th of January last.

112	Thomas M. Logan Plaintiff in Error vs: N. A. Atchison et al	The suit of the Plaintiff in Error in this cause having been

suggested to
and on the 10th of November last and

an order entered by direction of the court of that date for leave to the plaintiffs representatives to become the parties - It is now here on motion of Mr. Robinson of counsel for the plaintiff in Error ordered by the court that the appearance of Esther G. League, widow and Esther A. wife of Clinton G. Wells, Thomas J. League, and John Charles League, a minor by his next friend Thomas J League heard the same are hereby entered as the parties plaintiffs in Error in this cause with leave to prosecute this writ of error. They being the Widow and heirs of the said Thomas J. League deceased.

William Ross Charles Lenlett & Thomas H. Nall. Plaintiffs in Error	M. Stuart of counsel for the defendant in Error having
1127 vs:	
Oscar F. Steele	

filed and read in open court, the

following entered to wit:

Supreme Court of the State of Nevada.

William Ross Chaves
Surviving Partner of Thomas McCall
Plaintiffs in Error — No. 114.

vs.

Orion C. Stiles
Respondent

I Alfred Helm. Clerk of the Supreme Court of the State of Nevada. do hereby certify that a judgment was entered in the above entitled cause on the 12th day of August A.D. 1868 in favor Orion C. Stiles Respondent herein. That a writ of error on behalf of William Ross Chaves Surviving Partner and Thomas McCall was sued out and allowed on the ___ day of A.D. 1868

In testimony whereof I have hereunto
my name and affix the seal of said
Supreme Court of
the State of Nevada
at 12th day of January
A.D. 1867

Seal

Lloyd Hill
Clerk Supreme Court
State of Nevada

and having stated that the plaintiffs in
Error had altogether failed to file the
record of said cause in this court, or in
any way to prosecute said writ of error
Now here moved the court in pursuance
of the 9th rule of this court to have this
writ of error docketed and dismissed.
On consideration whereof it is now here
ordered and adjudged by this court
that this writ of error to the Supreme
Court of the State of Nevada, be and
the same is hereby quashed and dis-
missed with costs, and that this cause
be and the same is hereby remanded
to the said Supreme Court for further
proceedings to be had therein in

conformity to law and justice, the said writ of error notwithstanding.

per Mr. Chief Justice Chase.

	Robert B. Jones Appellant vs: Madame Marquise de la Vaiselle and husband	The motion filed to dismiss this Appeal for the want of jurisdiction, was argued by Mr. Janin in favor of the motion and by Mr. Durant in opposition thereto. Whereupon this court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.
316		

	Maria J. Conyers Plaintiff in Error vs: Samuel Trevino and Eben Cobb	M. Kilmer for the plaintiff in error having suggested the death of Eben Cobb one of the defendants in Error in this cause, moved the court for a
6		

order, and that the said Court be made the proper representatives of the said Thos Cobb deceased parties — On consideration whereof it is ordered by this court that unless the proper representatives of the said Thos Cobb deceased shall voluntarily become parties within the first ten days of the ensuing term of this court, the plaintiff in error shall be entitled to open the record in said cause and to have the same heard, and the judgment therein reversed if erroneous Provided that a copy of this order shall be printed in some newspaper at the Seat of Government in which the Laws of the United States shall be printed by authority for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court next coming —

Per Mr. Chief Justice Taney

131	Michael Thompson Plaintiff in Error vs. Thomas J. Bowie	The argument of this cause was commenced by Mr. Merrick of counsel for the plaintiff in Error continued by Mr. Phillips and Mr. Cox of counsel for the defendant in error and concluded by Mr. Grant for the plaintiff in Error.

133	The Baltimore Pittsburgh Rail Road Company Plaintiffs in Error vs. Calvin Burr	This cause was submitted to the court on the record and printed argument by Mr. Smith of counsel for the plaintiffs in Error and Mr. Stanton of counsel for the defendant in Error.

Submitted on printed arguments also to last term of this court.

134	James Barton Plaintiff in Error v. Robert Forsyth	The argument of this cause was commenced by Mr Ballance of counsel for the plaintiff in Error
304	Silas S. Bowen et al Plaintiffs in Error v. The people of the State of Illinois	This cause was submitted to the consideration of the court on the record and printed arguments by Mr Doyle of counsel for the plaintiff in error with leave to Mr Talmage of counsel for the defendant in error to file printed argument in two days from this date
320	William T. Otis Plaintiff in Error v. John Kinsella et al	Mr Stewart filed a motion for an oral argument to be had in this cause, or for leave to file additional printed arguments . .

Proclamation being made the court is adjourned until Monday next at eleven o'clock . .

Wednesday February 13th 1867

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Lucius E. Chittenden Esquire Marshal
Daniel Ruggles Assistant Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Sherman Tracy it is ordered that Jas. H. Bingham and Caroline M. Kirkland Esquires of the Bar of this City be admitted as Attorneys and Counsellors of this court and they are severally accordingly.

On motion [illegible] made to the court on the behalf by Mr. Wm. Noble it is ordered that Samuel F. Fox Esq. of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion [illegible] made to the court on this behalf by Mr. C. St. Mark it is ordered that Ithamar C. Sloan Esquire of Janesville State of Wisconsin be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William A. Hadden John A. Hadden and Francis Bell Plaintiffs in Error vs. Hiram Barney	In error to the Circuit Court of the United States for the Southern District of New York

105

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the South District of New York, and was argued by counsel. — On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Field.

	The Mutual Life Insurance Co. Plaintiff in Error	In error to the Circuit Court of the United States
106	vs.	
	Juanita M. Chase	

for the District of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with

costs. And interest until paid at the same rate per annum. That similar judgments be given in the courts of the State of Maine.

Dissenting — per Mr. Jus. Davis
Mr. Jus. Miller

The Mayor. Aldermen and Commonalty of the City of New York. Plaintiffs in Error	In error to the Circuit Court of the United States for the Southern
127 — vs:	
William F. Sheffield	

District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel — On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with

costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of New York

per Mr. Justice Miller

The Board of Supervisors of Rock Island County Plaintiffs in Error	In error to the Circuit Court of the United States for the Northern District
vs.	
The United States on the relation of the State Bank	

of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Swayne

Wednesday January 13th 1869. Continued -

	Noah G. Nash and Emery D. Chapin Plaintiffs in Error	In error to the Circuit Court of the United States for the District of Wisconsin
117	vs:	
	Leonard Town Jr. and George M. Washburn	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest on the said debt at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin

per Mr Justice Clifford

John D Hardcastle & Wm Nelson S Marsh Appellants vs: Hugh T. K. Boal	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged and decreed by this Court that the decree of the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Nelson

The Pacific Insurance Co. Plaintiffs in Error vs: Frank Scott Collector &c.	On motion of the Attorney Gen'l Stanbery ordered this cause be and the same is hereby dismissed for

335

argument on the Second Monday of April next

James Barton Plaintiff in Error vs Robert Forsyth	The argument of this cause was concluded by Mr. Ballance of Counsel for the plaintiff in Error and

1321

submitted on printed argument by Mr. Gordy of counsel for the defendant in Error

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Azelia Gaulet widow &c. Plaintiffs in Error vs. R. A. Shepherd	This cause was argued by Mr. Jamison of counsel for the plaintiff

54

in Error and submitted on printed arguments by Mr. J. Mason Campbell of counsel for the defendant in error

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Proclamation being made, the court is adjourned until tomorrow morning at Eleven o'clock.

Thursday February 7th 1861

Court to adjourn the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field

Associate Justices

David S. Gooding Esquire Marshal
Daniel Carey Middleton Clerk.

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr. R. Johnson it is ordered that Joseph E. Brown Esquire of Atlanta and Benjamin H. Hill Esquire of Late State of Georgia be admitted practitioners attorneys and counsellors of this court, and they are accordingly.

On motion first made to the court in this behalf by Mr. L. Thurmond, it is ordered that C. B. Fabin Esquire of Houston, State of Texas, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. K. F. Merrick it is ordered that R. H. Epperson Esquire, of Clarksville, State of Texas, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

William J. C. Hoi
Plaintiff in Error
vs.
John McKissick
320

On motion of Mr. Stewart with the consent of the Counsel for the defendant in Error on file - It is now here ordered by the court, that this cause be argued orally on the first monday in April next

or immediately after the argument of the 135th cause for argument on that day.

135	H. I. Sweett Appellant vs: James Coleman et al	The argument of this cause was commenced by Mr. Merrick of counsel for the appellant, continued by Mr. Mines of counsel for the appellee and concluded by Mr. Brent for the appellant.

136	Stephen A. Turner Plaintiff in Error vs: John Peckinpaugh	This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. Carpenter of Counsel for the plaintiff in Error.

	Thos S Shelton &c. Plaintiffs in Error vs. Arthur H. Austin Collector &c.	This cause was submitted to the consideration of the court on the record and printed argument by Mr Attorney General Stanbery of counsel for the defendant in Error.
137		

	William D. Thompson Plaintiff in Error vs. Augustin Catarino	It was ordered that the Circuit Court of the United States for the Southern District of New York. This cause came on to be heard from the transcript of the record from the Circuit court of the United States for the Southern District of New York, and on the stipulation of the counsel for the respective parties on file - On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court
139		

in this cause be and the same is hereby affirmed with costs.

Per Curiam Chief Justice Chase

Proclamation being made the Court is adjourned until to-morrow morning at Eleven o'clock.

Friday February 15th 1867 Continued

Pursuant to adjournment the court met this morning at the Capitol in Washington.

Present.

The Hon. Salmon P. Chase Chief Justice

James M. Nayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

} Associate Justices

David S. Gooding Esquire — Marshal
Daniel Wesley Middleton — Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Caleb Cushing, it is ordered that C. L. Baxter, Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in the behalf by Mr Joseph S. Bradley it is ordered that Fredrick T. Frelinghuysen Esquire of Newark and George M. Robeson Esquire of Camden State of New Jersey be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

The State of Texas Complainant. vs George W. White et al.	Ill Mason for Complainant moves for the State of Texas moves the court for leave to file

12 original

a bill of complaint exhibited in a controversy which has arisen between the said State and the defendants named in said bill and that the proper process may issue thereon and be made returnable on the second Monday of May next.

Friday January 13th 1860 Continued

The State of Texas Complainant vs George W White et al	On consideration of the motion of Mr Maxwell Solicitor for the complainant

2 originals

ends of the prayer in the bill of complaint exhibited, it is now here ordered by the court, that leave to file the said bill be and the same is hereby granted and thereupon the writ de issue process as prayed for in this cause returnable on the second Monday in May next

The State of Texas Complainant vs George W White et al	The complainant by its solicitor and counsel Mr Maxwell moves for an

2 originals

injunction on the bill filed in this cause, in accordance with the prayer thereof.—

12 original	The State of Texas Complainant vs: Jorge K. Whitesett	The complainant by R. J. Hamick & Sciater Counsel moves the court for an order that the motion for an injunction on the bill filed in this cause be heard on the Second Monday in May next provided a copy of such order be served on the defendant at least ten days before the said Second Monday in May next.

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13 original	The State of Texas Complainant vs: Jorge K. Whitesett	On motion of the motion of M. Hamick Sciator for Complainant it is now here ordered by the court that the motion for an injunction on the bill filed in this cause be set down for hearing on the second Monday in May next - provided a copy of this order be served on

The defendants at last two days term said second Monday in May next.

	John S McClane Plaintiff in Error vs: John C. Fox	The Motions of Counsel for the defendant in Error filed a motion to dismiss this cause.
167		

	G. A. Le Mose & Co. Appellants vs: The United States and	The argument of the motions to dismiss these cases, was commenced by Mr Cushing in support of the same, continued by Mr Evarts in opposition
365		
	N. H. Hathaway et al Appellants vs: The United States	
270		

Closed and concluded by Mr. Ashton, Assistant Attorney General, in support of the motion whereupon this court not being sufficiently advised of and concerning what order to render in the

Friday February 15th 1867 Continued –

premises to be time to consider –

Proclamation being made the
court is adjourned until morn-
ing next at 9 o'clock – –

Monday February 18th 1867

Pursuant to adjournment, Court met this morning at the Capitol.—

Present:

The Honorable Salmon P. Chase Chief Justice

James M. Hay
James Wilson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

} Associate Justices

David S. Dearing, Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the court is opened.—

Michael Thompson Plaintiff in Error vs: Thomas F. Bowie	In error to the Supreme Court of the District of Columbia

131

This cause came on to be heard on the transcript of the record

from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs. and that this cause be, and the same is hereby remanded to the said Supreme Court with directions to award a venire facias de novo.

Grimes. Per Mr. Justice Grier
Mr Justice Grier

The United States Appellants and Appellants vs. C. A. Peaco and T. F. Bloan - Eight Hundred & Twelve Hundredths and 36 Barrels of Sugar and 93 Barrels & Hogsheads of Molasses and 11 Libls of Sugar and 103 Barrels of Molasses.	Appeal from the District Court of the United States for the Eastern District of Louisiana.

103

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana, and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Justice Miller

Kenzie Bates Plaintiff in Error vs: William H. Brown	In error to the Circuit Court of the United States for the Northern District of Illinois

412

This cause came on to be heard from the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment

of the said Circuit Court in this cause in this cause, and the same is hereby affirmed with costs

per the Justices Syllabus

Allen Robbins Plaintiff in Error vs The City of Chicago	In error to the Circuit Court of the United States for the Northern District of Illinois.

132

This cause came on to be heard from the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

The Merchants Insurance Co. Appellants vs: James Ritchie	Appeal from the Circuit Court of the United States for the Dis

337

trict of Massachusetts –

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed for the want of jurisdiction. per Mr. Ch. Jus. Taney

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Lessee of R. M. Crocall Plaintiff in Error vs: John M. Sherard	The argument of this cause was commenced by Mr. Bird of counsel for the pff: in Err.

140

Proclamation being made, the court is adjourned until to morrow morning at eleven o'clock

Tuesday February 6th 1866.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice.

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

David T. Stuart Esqr. Marshal
Daniel Ridgely Middleton. Clerk

Proclamation being made the Court is opened.

Motion just made to the Court in this behalf by Mr. James M. Carlisle it is ordered that James M. Moore Esquire of Alexandria State of Virginia be admitted to practice as Attorney and Counsellor of this Court and he was sworn accordingly.

The Chief Justice announced to the bar that the court would sit at noon this week, but would hear arguments only on Tuesday, Wednesday, and Thursday of next week.

	Lessee of R. M. Cowell Plaintiff in Error	The argument of this cause was ended by Mr. Singhuyser
110	vs.	
	J. M. Sherard	

and Mr. Bradley, of counsel for the defendant in Error.

Proclamation being made, the court is adjourned until tomorrow morning at Eleven o'clock

Wednesday February 20th 1861.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Edmund F. Chas. Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

} Associate Justices

Chas. S. Lording Esquire Marshal.
James Digby Messenger. Cler.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by M. T. F. Simmons it is ordered that J. A. Stephens Esquire of Montana Territory be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

The State Bank Jamaica &c. Appellant vs. The United States	On the motion of the Court by it is ordered that

84

ordered by the court that the further argument of this cause be and the same is hereby postponed until Monday at the adjourned term to be agreed upon by counsel.

Lessee of R. M. Cornell Plaintiff in Error vs. J. M. Sherrerd	The argument of this cause was continued by Mr. J. T. Bradley

110

of counsel for the defendant in Error and concluded by Mr. R. Johnson of counsel for the plaintiff in Error

The Illinois Central Railroad Company Plaintiff in Error vs. William Barron	The argument of the cause was commenced by Mr. Knox Counsel for the plaintiff in Error.

Proclamation being made, the court is adjourned until tomorrow morning at Eleven o'clock.

Thursday January 21st 1864

Pursuant to adjournment, the court m
this morning at the Capitol
Present

The Hon. Salem H. Chas. Chief Justice

James M. Magee
Samuel Sober
Nathan Cliffor
Levi K. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Associate Justices

Gard S. Harding Esquire Marshal
Daniel Henry Thomas Clerk

Proclamation being made the court
is opened

On motion first made to the court
in this behalf by Wm. L. Dudley
Esquire it is ordered that James
Lynd Esquire of Indianapolis Ind
& Pennsylvania be admitted to pra
tice as an attorney and counsellor
of this court and he was sworn
accordingly.—

On motion first made to the court, on this behalf by Mr. R. H. Converse it is ordered that L. Grand Marvin Esqur of Buffalo State of New York be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

The United States	On motion of
Appellants	Mr. Wells, or-
12 Jan 1867 vs.	dered by the
Thomas C. Durkin et al	Court that
	Case be, and

the same hereby granted the Clerk to issue the Mandate in this case.

Chas G. Semple	On motion of
Plaintiff in Error	Mr. Wells, ordered
1867 vs.	by the court that
Jesse Hoyt	Case be, and the
	same is hereby

granted the Clerk to issue the mandate on this case.

Thursday February 21st 1867 - Continued -

The United States Appellants vs. Antonio Rocha et al.	Appeal from the District Court of the United States for the South.

259

District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr. Attorney General Stanbery of counsel for the Appellants. it is now here ordered, adjudged, and decreed by this Court, that the appeal be, and the same is hereby dismissed without prejudice to appellants right to take a new appeal - and that this cause be, and the same is hereby remanded to the District Court of the United States for the District of California.

per Mr. Clf; Jas. Clase

Thursday February 21st 1867. Court

	The Illinois Central Railroad Company. Plaintiff in Error.	The argument of this cause was continued by
111	vs.	Mr Grant of Counsel for the
	Mr Zinn	plaintiff in Error by Mr Chief of counsel for the defendant in Error and concluded by Mr. Tracy for the plaintiff in error.

	Robert H. Scarson Appellant	The argument of this cause was commenced
112	vs.	by Mr Lyon of counsel for
	Charles F. Deane	the appellant. —

	Benjamin D. Godfrey Plaintiff in Error	In error to the Circuit Court of the United States for the Dis-
113	vs.	
	Charles F. Eames	trict of Massachusetts. —

This cause came on to be heard from the transcript from the Circuit

Court of the United States for the District of Massachusetts and it appearing to the Court here that an appearance of counsel has been entered in this cause it is therefore ordered that the mandate of this Court issued and adjudged by this court, that this writ of error be, and the same is hereby dismissed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per The Chief Justice Taney

1114

Joseph Nock,
Appellant –
vs:
The United States

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims – On consideration whereof, it is now here

cause originated, was dismissed by this court, that the appeal heard the same is hereby dismissed for the want of jurisdiction

per Mr. Chief Justice Chase

	William Hindman et al. Plaintiffs in Error vs. The Illinois Central Railroad Company	Cause by the Court that this cause be and the same is hereby continued to the next term of this Court.
1115		

	John Myers et al Appellants vs. William Penn,	The cause was submitted to the consideration of the Court on the record and printed arguments by Mr Smith of counsel for the appellants, and by Mr. Van Cleave of counsel for the appellee
1116		

Thursday January 21st 1869. Continued —

1147.	Horace Sauerwald Appellants vs: John A. Brigden and Richard Field Appellant	This case was submitted to the consideration of the Court on the Records and printed arguments by Mr. Smith of Counsel for the appellants
1148	vs: John A. Brigden et al	

and by Mr Negus of Counsel for the appellees. —

1149	James R. Bentley et al vs: — Appellants Hugh Coyne Cumm Vc. and	This cause was submitted on the consideration of the Court on the records and printed arguments by Mr. Ritchie of Counsel for the appellants and
150	James R. Bentley et al vs: Appellants Hugh Coyne Cumm Vc	

by Newbery of counsel for the appellees. —

Further action being made the Court is adjourned until tomorrow morning at Eleven o'Clock. —

Friday February 21st 1851.

Pursuant to adjournment this court met this morning at the Capitol.

Present.

The Honorable Solomon Sibley Chief Justice.

James M. Wayne
Samuel Nelson
Robert C. Grier
Benj. Curtis
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Associate Justices

David T. Disney Esqr. Marshal.
Daniel Henry Chandler Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. R. M. Stuart it is ordered that Robert Sinnar and William B. Mason, Esquires of San Francisco State of California be admitted to practice as attorneys and counsellors of this Court and

they were sworn accordingly.

On motion first made to the court in this behalf by Mr. Caleb Cushing it is ordered that William M. Ramsey Esquire of Cincinnati State of Ohio. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. –

On motion first made to the court, in this behalf by Mr. Randy Johnson, it is ordered that Andrew Rhodes Esquire of Charlestown State of Virginia be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

The Steamship Bagaley &c. Appellants vs: The United States Appellees	On motion of counsel – Ordered by the Court that this cause shall

157 not be called for argument before

Friday January 22d 1864 Continued

the meeting of the court on the 1st Monday in April next.

The Winchester & Potomac Railroad Company Appellants vs. James I. Bowers &c	Motion of W. Carlisle & Counsel for the appellee and

159

with the consent of Mr Cushing of Counsel for the appellant it is now here ordered by the court that this cause be argued with No. 203 when that case is reached in the regular call of the docket.

The Commonwealth of Virginia Complainant vs. The State of West Virginia	Mr. Nimmo of Counsel for the complainant with the

11 Original

assent of Mr Beverly Johnson of counsel for the Respondent moved the Court to fix a day certain of this term for the hearing of the demurrer filed

Friday February 22nd 1867. Continued -

on the same - On consideration whereof the said motion being over ruled & sufficiency cause of said rule appearing what order is made in the premises? Court time to consider -

---

Robert N. Fraser Appellant vs. Charles F. Evans	The argument of this cause was entered by Mr. Lyon of counsel for the Appellant, by Mr. Noble of counsel for the Appellee, and concluded by Mr. Lyon of counsel for the Appellant -
112	

John B. McClane Plaintiff in Error vs. John D. Bonn	Error to the Supreme Court of Oregon
167	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon and on the motion of Mr. Williams of counsel for the defendant -

cuit in error, to dismiss this writ of error, because the said transcript of the record was not filed during the time next succeeding the issuance of the writ. - On consideration whereof it is the opinion of this court that the motion should be granted, on the ground that the writ of error had not been prosecuted in the manner directed, and within the time limited by the act of congress for filing the transcript in this court during the next succeeding term after said - It is therefore now here ordered and adjudged by this court that this writ of error be and the same is hereby dismissed

per Mr Chf Justice Taney

Declaration being made this court is adjourned until Tuesday morning next at Eleven o'clock. —

Tuesday February 26th 1867.

Pursuant to adjournment, the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice -

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis 2nd
Stephen J. Field

} Associate Justices

David D. Jenning Esqr. Marshal
Daniel Ashley Washington Clerk.

Proclamation being made the court is opened.

On motion filed made to the court in this behalf by Mr. Ingersoll it is ordered that Richard Sutton Esqr. of Philadelphia State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion it was ordered by the court
on the 1st day of the Nov Term Board
it is ordered that Stephen S Lee
Esquire of New York City be admitted
to practice as an attorney and counsellor of this court and he was sworn
accordingly.

Edward Kelly and Hugh Weber Plaintiffs in Error vs: Samuel Crawford Davis & Co. & Henry B. Sayre	Appeal to the Circuit Court of the United States for the Southern Dis- trict of Illi- nois.

1114

This cause came on to be heard on
the transcript of the record from the
Circuit Court of the United States
for the Southern District of Illinois
and was argued by Counsel. On
consideration whereof it is now here
ordered and adjudged by this court
that the judgment of the said Circuit
Court in this cause be and the
same is hereby affirmed with costs

and interest until paid at the same rate per annum, that similar judgments be had in the courts of the State of Illinois.

per Mr. Justice Field.

James S. Swinnerton & John P. Swinnerton Plaintiffs in Error vs. Geo. S. Gray.	In error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Field -

124

Tuesday February 26th 1867. Continued.

130	Samuel N. Kinnaber Appellant vs. Aaron J. Simpson	Appeal from the Supreme Court of the Territory of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Nebraska and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Supreme Court, with directions to enter an order affirming the decree of the District Court in this cause.

Per Mr. Justice Davis.

Decision of cause 13th May 1867.

Thos. S. Shetton Jun Thos. S. Shetton. Jun Younger Merchants doing business under the name and style of Thos. S. Shetton & Co. Plaintiffs in Error vs: Arthur H. Austin Collector for the district of Boston & Charlestown	In error to the Cir cuit Court of the U. ted States for the D. trict of Massa chusetts.

137

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause &c. and the same is hereby affirmed with costs.

per Mr Justice Swayne

	The Mayor & Aldermen of the City of Lowa Plaintiffs in Error	In error to the Circuit Court of the United States for the Northern District of Illinois.
1191	vs.	
	The United States and Henry Amy	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Opn Mr. Justice Swayne.

	James Gordon Plaintiff in Error	In error to the Circuit Court of the United States for the Northern District of Illinois.
1194	vs.	
	Robert Speight	

Tuesday February 26th 1867. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that this writ of error be, and the same is hereby dismissed, for the want of jurisdiction.

per. Mr Justice Clifford.

Winthrop N. Orvis Plaintiff in Error 136 vs: John Lockwood	In error to the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered and

adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby Reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court.

per Mr Justice Clifford.

351

The Board of Supervisors of Marshall County Plaintiffs in Error

vs.

Robert G. Schenck

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the

judgment of the said Court Court in this cause be, and the same is hereby affirmed with costs, and it is further ordered that the said appellee recover against the said appellant costs incurred in the Court of the District of Columbia -

Mr. Chief Justice Fuller -

135

William F. Sweet, Complainant & Appellant vs. James Coleman, Austin Sordam, Gilbert E. Wilcox, Mary Virginia Dunn, Charles Carter, Secretary &c, Colony of Liberia, & Edwin C. Morgan.

Appeal from the Supreme Court of the District of Columbia -

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court,

Tuesday January 20th 1846 Continued –

that the decree of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs.

per Curiam Grier –

The Washington Alexandria & Georgetown Steam Packet Company Plaintiff in Error

vs.

Samuel E. Sales and Thomas Croft

In error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel – On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said

Supreme Court, with instructions to award a venire facias de novo. Dissenting Mr. Justice Miller. } per Mr. Justice Nelson

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Peter S Bradley &al Plaintiffs in Error – v: The People of the State of Illinois	In error to the Supreme Court of the State

369

of Illinois

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel – On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Supreme Court with directions to enter a judgment affirming the decision of the Board of Supervisors. – per Mr. Justice Nelson – Mr. Justice Davis, both no points

The Pacific Insurance Co. Plaintiff	Certificate of division in opinion between the Judges of the Circuit Court of the
523 vs.	
Trust Sane Collector of Internal Revenue &c	

United States, for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and on the points and questions upon which the judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and on the motion of Mr Attorney General Stanbery of counsel for the appellant to dismiss this cause. - It is now here considered ordered, and adjudged by this Court, that this cause be, and the same is hereby dismissed, for the want of

jurisdiction. Whereupon it is ordered adjudged, and decreed by this court, that it have no cognizance of the said Circuit Court for the Chief Justice thereof

Robert B. Jones Appellant vs. Adelaide Marquise de la Vallette & husband &	Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

3116.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and on the motion of Mr. Janin, of counsel for the appellees to dismiss this appeal. It is now here considered, ordered adjudged and decreed by this court that this appeal be, and the same is hereby dismissed for the want of jurisdiction - And that this cause

be, and the same is hereby remanded to the Circuit Court of the United States for the District of Louisiana.

Chase Ch. Just. pro. Clas.

Horatio Seymour et al Appellants vs. S. C. T. Sloan Adm'r &c	On motion of Mr Butler of Counsel for the Appellees

111

to dismiss this appeal and of the argument of Counsel thereon as well in support of as against the same — It is now here ordered by the Court that the said motion be and the same is hereby overruled. —

The Commonwealth of Virginia Complainant. vs. The State of West Virginia	The demurrer to bill set for argument on the

11 Original

first Monday in May next. —

Tuesday February 21st 1859 Continued

	Samuel M. Jarnagin Appellant vs: Andrew J. Simpson	On motion of Mr. Curtis Leave granted to the counsel to cause the

130 mandate in this case.

	Thomas T. Ewing Plaintiff in Error vs The City of St Louis	Came by the Court that the cause be and the same is hereby passed

131 for the present.

	James Francis Plaintiff in Error. vs: The United States	The cause was Submitted to the consideration of the court on the record

152 and printed arguments by Mr. Wright and Mr. Ewing of counsel for the plaintiff in Error and by the Attorney General Clerk of counsel for the defendant in error.

	The Schooner "Sea Fox"	Ordered
	Appellant	by the court
153	vs:	that this
	The United States	cause be,
		and the

same is hereby continued to the next term of this court on motion of Attorney General Stanbery —

	The City of Memphis a	The argu-
	Plaintiff in Error	ment of
154	vs:	this cause
	John H. Dibble	was com-
		menced

by Mr Lynd of counsel for the plaintiff in Error

	The United States	Ordered by Court
	Appellants	that the motion for
98	vs:	leave for further proof
	The Schr "Peerless"	in this cause
		be and the same is
		hereby overruled.

Proclamation being made, the Court is adjourned until tomorrow morning

Wednesday February 27th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

His Honour John Black Chief Justice

John F. Snyder	
James Allen	
Robt. C. Smith	
Sol. Cohen	Associate
Saml. H. Sharpe	Justices
James Hall	
Isaac Davis	
Stephen J. Field.	

Isaac G. Gearing Esqr. Marshal.
Daniel Wesley Middleton. Clerk

Proclamation being made &c &c
is ordered.—

Our motion filed March 1st 1866
in this behalf by T. J. Tidwell Esqr.
it is ordered that John Sims Esqr.
of Shasta, State of California be
admitted to practice as an attorney
and counsellor of this Court and he
was sworn accordingly.—

Wednesday February 3rd 1847 Continued

On motion first made to the court, in this behalf by J. A. Cotesworth it is ordered that B. Faneuil Esquire of New York City be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly. —

On motion first made to the court, in this behalf by M. Edward Hannegan it is ordered that James L. Craig Esquire of the State of New York be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly. —

Order of Court —

The Chief Justice announced to the Bar that the Court would not hear arguments in any case after Mr. 15th and that it would adjourn on Thursday the 25th instant until the 1st Monday in April next. —

Wednesday February 27th 1867 Continued –

	Jose de Rau et al Appellants vs The United States	The motion of the Counsel for the Appellants to dismiss the appeal in the

1120

case, is is now here ordered by the Court that the cause be and the same is hereby set down for argument on the 2d Tuesday in April next instead of the 1st Monday as heretofore ordered.

	William L.C. Hill Plaintiff in Error vs John Kirkpatrick	The motion of the Counsel for the Plaintiff in Error it is now here

320

ordered by the Court that the cause be and the same is hereby set down for argument on the 2d Tuesday in April next in succession after the argument of cause No. 1120. –

	The Schooner "Sea Lion" Appellant	On motion of Mr Ewart of counsel for the appellants with
133.	vs.	
	The United States	

the consent of the District Attorney leave is given to have entered by the court that the order of continuance entered in this cause be and the same is hereby stricken out, and that this cause be, and the same is hereby set down for argument on the 2nd Monday in April next or immediately after the argument of Nos 120 and 220.

	The City of Philadelphia Plaintiff in Error	The argument of this cause was continued
134.	vs.	
	John H. Dick	by Mr Asheton Asst Attorney

General of counsel for the defendant in Error and concluded by Mr Ewart of counsel for the plaintiff in Error —

Thomas P Ewing Sheriff &c Error vs The Corp of St Louis	The cause was argued by Mr Lee and by counsel for the plaintiff in error and submitted on the argument by Mr Ewing for the plaintiff in Error

131.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'Clock. —

Thursday February 2nd 1867.

Pursuant to adjournment the court met this morning at the Capitol.

Present -

The Hon. Edward D. Thomas Chief Justice
James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Associate Justices

David D. Jessup Esqr Marshal
Daniel Leech Reporter Clerk

Proclamation being made Court is opened. -

On motion of Wm. L. P. Poland it is ordered that Norman Eastman Esqr of La Crosse State of Wisconsin be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion ordered by the court in this

behalf by Thos Bryan Esq it is ordered that Wm Bay Esq one of the Masters of this Court be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to this court on the behalf by Wm E. G. Bennett it is ordered that Wm Bay Esq one of the Masters of this Court be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to this court on the behalf by Wm F. Gilmore it is ordered that E. H. Hewitt Esq of Peoria in the State of Illinois be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to this court on the behalf by Wm James H. Carlin it was ordered that Richard E. Ewing of Jacksonville in the State of Ills be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Tuesday February 28th 1860 Continued –

Order of Court

Ordered by the Court that the Clerk be authorized to issue the mandates in the cases, decided at the present term of this court to this date.

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323 Charles Bluejacket vs.
Plaintiff in Error.
vs
St. County of Miami. –

Dallow Beaver vs.
Plaintiff in Error
326 vs
County of Miami.
Same

Same vs. Same et al.
Plaintiff in Error
327 vs:
County of Johnson

On motion of Wm. Ashton Asst. Attorney General, it is now here ordered by the court that these cases be, and they are hereby dismissed for want of prosecution on the 2d Monday in April next. –

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154 The Chy. Nation of Indians
Appellants
vs:
Same

The argument of this cause was commenced by the Ex. Committee of Counsel for the appellants, continued by the Attorney General for the appellee, and concluded by the

Sunday February 24th 1867 Continued -

Proclamation being read Council is
adjourned until the first Monday in
April next at Elm Grove. -

VO

LUME

Y

Monday

Present &c adjourned
the morning at ten
Present
The Honorable Justices
Isaac D
Samuel A
Nathan C
Stephen H
Clerk & Sheriff
Pleas Pleas Pleas

Here not being a
of the Justices fro
Law to constitute a

Court is adjourned
morning at seven

April 1st 1867

...ment, the Court met
... Capitol
...t
...t. Chase, Chief Justice
...g. Grier
...Nelson
...Clifford } Associate
...Swayne } Justices
...Miller
...Field
...Davis
...r. Clerk

...a sufficient number
...ent according to
...g. quorum.

H.

...d until tomorrow
...at 10 o'clock

Tuesday April 9th 1867

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
} Associate Justices.

David D. Gedding Esquire Marshal.
Daniel Ashley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion had made to the Court in this behalf by Wm. A. J. Cranston, it is ordered that Jesse Turner Esquire of Galveston Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion had made to the Court on the behalf by Wm Beverly Johnson it is ordered that William Evans

Esquire of Tallahassee, State of Florida, and Joseph J. Lewis Esquire of West Chester, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

On motion first made to the court in this behalf by Mr. George Sherwood, it is ordered that Allison H. Terry Esquire, and Thomas B. Keogh Esquire of Greensboro, State of North Carolina, be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

On motion of Mr. J. M. Carlisle first made to the court in this behalf, E. C. Benedict Esquire of the Chesapeake Nation and A. E. Brown Esquire of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

Tuesday April 2nd 1867 continued

On motion first made to the court in this behalf by Tilo Coast Cushing, it is ordered that Charles Conley Esquire of Lowell, State of Massachusetts, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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10 original	The Milwaukee & Minn R.R. Co	vs.	Judges U.S. Dist. Ills.
139	The Milwaukee & Minn R.R. Co	vs.	James T. Soutter &c.
152	The Milwaukee & St Paul R.R. Co.	vs.	James T Soutter &c
203	Frederick P James et al	vs	The Mil & Minn R.R. Co.
203	James T. Soutter &c.	vs	The Lacrosse & Mil R.R. Co
212	The Mil & St Paul R.R. Co	vs.	James T. Soutter &c.
340	The Mil & St. Paul R.R. Co.	vs	James T. Soutter &c.
353	The Mil & Minn R.R. Co	vs	James T. Soutter &c.
354	Alexander Fleming	vs	James T. Soutter &c.
1116	James T. Soutter et al	vs.	The Mil & Minn R.R. Co.
1117	The Mil & Minn R.R. Co.	vs	The Mil & St. Paul R.R. Co.
1118	The Mil & Minn R.R. Co.	vs.	Selah Chamberlain
1119	The Mil & St Paul R.R. Co.	vs.	Mil & Minn R.R. Co.
1134	The Mil & Minn R.R. Co	vs	James T. Soutter &c.
435	The Mil & Minn R.R. Co	vs	Frederick P. James
436	The Mil & Minn R.R. Co	vs	Frederick P. James
1137	The Mil & Minn R.R. Co	vs	Frederick P. James

Mr. Cushing of counsel for the Minnesota and Pacific Railroad Co. moved the court that these cases, appertaining to the same subject matter be consolidated and argued together, and that they be set down and assigned for argument on the last Tuesday of April instant. Whereupon this court not being now sufficiently advised of, and concerning what order to render in the premises took time to consider.

6

Maria J. Carson
Plaintiff in Error
vs.
Hamnet Investment al

Mr. Stinson of Counsel for the defendants in Error filed motion to make parties &c. and that a rule be entered accordingly.

4120

Joseph de Haro et al
Appellant
vs.
The United States

Mr. Carlisle filed motion for leave to appear as counsel and be heard at the argument of this cause in defence of the interest of the citi

of San Francisco. Mr. Cushing
does make a similar motion to appear
in behalf of the settlers interested in
this case - Whereupon this Court
not being now sufficiently ad-
vised of and concerning what
order to render in the premises
took time to consider.

Jose Maria Alviso &c. Appellants vs. The United States	Mr. Bradley of counsel for the Appellant, filed motion to reinstate

97

this cause. -

Chas. Blujacket &al Plaintiff in Error vs. County of Miami	The argument of this cause was commenced by Mr. Hendricks of counsel for the plaintiffs in error, continued by Mr. F. P. Stanton

325

Elias Beaver &al Plaintiff in Error vs. County of Miami

326

Wm Zapp & als. et al. 327 vs: Plaintiff in Error. County of Johnson.	for the defendants in Error and con- cluded by Mr. Hendricks for the
Plaintiffs in Error. -	

Proclamation being made, the court is adjourned until tomorrow morning at Seven o'clock. -

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Wednesday April 3rd 1867.

Pursuant to adjournment the court met this morning at the Capitol.

Present -

The Honorable Salmon P. Chase — Chief Justice
James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne — Associate Justices
David Davis
Stephen J. Field

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk C.C.

Proclamation being made the court is opened. — — — — — — —

Appointment of Marshal

Order of Court

The Chief justice announced the appointment by the court of Richard C. Parsons Esquire of the State of Ohio as Marshal of this court, pursuant to the act of Congress entitled "An Act to provide for the Allotment of of the Members of the Supreme Court, among the Circuits, and for the appointment of Marshals for the Supreme

Court Appointed 2nd March 1867.

Mr Parsons this appeared in open Court and took the following oath: and having given bond in the sum of Ninety thousand dollars as required by Law. — entered upon the duties of his office. —

I Richard C. Parsons do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Supreme Court of the United States, under the authority of the United States, and true returns make, and in all things well and truly, and without malice or partiality perform the duties of the office of Marshal of the Supreme Court of the United States, during my continuance in said office. So help me God.
Subscribed and sworn R. C. Parsons
to before me this third
day of April A.D. 1867 in
open Court. —
C. K. Middleton

5 Cent Revenue Stamp

Know all men by these presents that we, Richard C. Parsons of Cleveland State of Ohio, and Henry D. Cook, and William T. Huntington of Washington City District of Columbia, are held and firmly bound unto the United States of America, in the penal sum of twenty thousand dollars, lawful money of the United States, to be paid to the said United States or their certain Attorney. To which payment well and truly to be made, we bind ourselves our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this third day of April A. D. 1867.

Whereas the above bounden, Richard C. Parsons, hath been appointed Marshal of the Supreme Court of the United States.

Now therefore the condition of the above obligation is such that if the said Richard C. Parsons shall faithfully discharge the duties of his said office, and shall well and faithfully keep

distrain, pay over, and account for, according to law, all moneys that may come into his hands as such Marshal, as aforesaid, then this obligation to be void; otherwise, to remain in full force and virtue in law.

Witness: $1.00 Revenue Stamp

Fitzhugh Coyle,
Jos. T. Brown

R. C. Parsons
H. D. Cooke
Wm. S. Huntington

Seal Seal Seal

(Endorsed) Approved.

S. P. Chase, Chief Justice
Supreme Court, U.S.
3rd April 1867.

Joseph de Hart et al.
Appellant
vs:
The United States

420

On consideration of the motions made in this cause on the 2nd instant.

It is now here ordered by the Court that six hours be allowed the appellants, and six hours to the appellees in the argument of this cause, to be divided as the counsel may see fit; and that Mr. Carlisle and Mr. Cushing be heard in the argument

as desired in the motions. -

James P. Sandford and John Nichol. Appellants	The argument of this Cause was commenced by Mr. McPherson of Counsel for the appellants and
136 vs	
Lyon J. Seymour et al.	

Continued by Mr. Wilson, and Mr. Bradley of Counsel for the Appellees. -

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Proclamation being made, the Court is adjourned until tomorrow morning at Eleven Oclock.

Thursday April 4th 1867

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase Chief Justice
James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
} Associate Justices

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton. Clerk.

Proclamation being made. the court is opened.

On motion first made to the court in due behalf by Mr James Grant. it is ordered that Henry Strong Esquire of Keokuk State of Iowa. be admitted to practice as an attorney and counsellor of this court. and he was sworn accordingly.

Thursday April 4th 1867 Continued -

James B. Ord
John Nichol
Appellants
vs.
Lyon & Forsyth &c.

The argument of this cause was concluded by Mr Carlisle & counsel for the appellants. -

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The Steam Ferry William
Tagony &c.
Appellants.
vs.
The United States &c.

The argument of this cause was commenced by Mr. Crawford, and continued by Mr. S. S. Cox. of counsel for the appellants, and by Mr. Ashton Attorney & Assistant Attorney General of counsel for the appellees. —

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday April 5th 1867.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

James M. Wayne,
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field

} Associate Justices

Richard L. Parsons Esquire Marshal.
Daniel Wesley Middleton. Clerk.

Proclamation being made the court is opened. -

On motion first made to the court in this behalf by J. Stanley Arthur Esquire it is ordered that John J. Townsend Esquire of the City of New York be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly

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On motion first made to the court

on this behalf by Mr. J. I. Frizinghuysen, it is ordered that John J. Gardner Esqre of New Jersey State, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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312 Hannibal Green
Plaintiff in Error
vs.
Wm. S. Van Buskirk & al.

and

313. Charles H. Tillinghast & al.
Plaintiffs in Error
vs.
Wm. S. Van Buskirk & al.

On motion of Mr. Carlisle to dismiss these writs of error set for argument on Friday 12th. of April instant. —

...ginia	The Mil[wau]k & Minn. R.R. Co.	ex. Judges U.S. Dist. of Wisconsin	
199	The Mil. & St. Paul R.R. Co.	22.	James F. Soutter & c.
152	The Mil. & St Paul R.R. Co.	1.	James F. Soutter & c.
202	Edmund P. James & al	1.	The Mil. & Minn. R.R. Co.
213	James F. Soutter & c.	1.	The Mil. & St. Paul R.R. Co.
212	The Mil. & St. Paul R.R. Co.	2.	James F. Soutter & c.
3[illegible]	[illegible]	2.	[illegible]

Friday April 5th 1867 continued.

353	The Ill. Cen. R.R. Co.	vs.	James T. Scully Sr.
354	Alexander Fleming	vs.	James T. Scully Sr.
416	James T. Scully Sr.	vs.	The Ill. Cen. R.R. Co.
417	Ill. Cen. R.R. Co.	vs.	Ill. and St. Louis R.R. Co.
111	Ill. Cen. R.R. Co.	vs.	Silas Chamberlain
119	The Ill. Cen. R.R. Co.	vs.	Ill. Cen. R.R. Co.
1134	Ill. Cen. R.R. Co.	vs.	James T. Scully Sr.
1135	Ill. Cen. R.R. Co.	vs.	Thomas F. James
1136	Ill. Cen. R.R. Co.	vs.	Francis T. James
1137	Ill. Cen. R.R. Co.	vs.	Francis T. James.

Ordered by the Court upon consideration of the motion of Ill. Cen. R.R. Co. to consolidate these cases, made on a prior day of the present term of this Court, it is now here ordered that the said motion be, and the same is hereby overruled.

159	The Ill. Cen. R.R. Co. Appellants vs. James T. Scully Sr.	Ordered by the Court that this cause be and the same is hereby set down for argument on Monday the 22nd instant.

Friday April 5th 1867. Continued

Hiram Sloans Admr &c Appellants vs. The United States	On motion of Mr. Cushing of counsel for the Appellants and with the consent of Mr. Attorney General Stanbery: it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

The State of Mississippi vs. Andrew Johnson & al.	Mr. Sharkey moved the court for leave to file Bill of complaint in this cause. Motion set for hearing on Friday the 12th instant.

1122 Thomas Solomon v. The Commonwealth of Mass.
1123 Rufus Cass vs. " " "
1124 Christopher Armstrong vs. " " "
377 Mm. C. Bernard vs. " " "
378 Leonard Synder vs. " " "

Mr. Reed of counsel for the defendant in error moved the court to fix

this term . . On consideration thereof it is now here ordered by the court that these cases be and they are hereby set down for argument on monday the 15th instant . ~

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391 Hugh Carey vs. The State of Iowa
397 E. McMunigle vs. " " " "
398 Adam Bachman vs. " " " "
399 Charles Sahler vs. " " " "
1100 John Newman vs. " " " "
1101 Louis Stutz vs. " " " "
1102 John Bennett vs. " " " "

Mr Casey of counsel for the defendant in error moves the court to fix a day for the argument of these cases at the present term . On consideration whereof it is now here ordered by the court that these cases be and they are hereby set down for argument on monday the 15th instant after 10 o'clock A.M. so.

1113 The Connellsville Southern Pa. Co. vs. The Salado & Penn Pennsylvania R.R.Co. Pal. Off for the Officer filed Appellants' motion to for leave for Mayor & City of Baltimore the argument of this

Friday April 5th 1867 Continued -

The Steamer Wm Bagaley &c. Appellants vs: The United States.	The argument of this cause was continued by Mr Ashton of counsel for the Appellees, and concluded by Mr Davis of counsel for the appellants. ~

Victor Vicars et al. Appellants. vs. Wm. S. Sutherland.	The argument of this cause was commenced by Mr. McVaugh-lin of counsel for the appellants. ~

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. ~

Monday April 8th 1867.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Hon. Salmon P. Chase Chief Justice.

James M. Wayne
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne.
David Davis Jun.
Stephen J. Field.

Richard C. Parsons Esqr. Marshal.
Samuel Perry Reporter. Clerk.

Proclamation being made, the court is opened.

Order of Court.

Ordered - That the following allotment be made of the Chief Justice and Associate Justices of the Supreme Court of the United States among the Circuits agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record viz.

To the first Circuit. Nathan Clifford Associate Justice

Monday April 5th 1869 Continued -

In the Supreme Court. Present the Same Special Justice

Chase " Present & Chief
Nelson " Justice Absent Chief
Grier " Justice Absent
Clifford " Justice Present
Swayne " Justice "
Miller " Justice "
Davis " Justice "
Field " Justice "

William Baker et al
Appellants
vs
Jer. A. Smith et al

139.

The argument of this cause was continued by Mr. S. F. Wallis of counsel for the appellee and concluded by Mr. J. Mason Campbell of counsel for the appellants.

Jacob H. Kean et al.
Appellants.
vs:
The United States

1120

The argument of this cause was commenced by Mr. Dick of counsel for the appellants.

Proclamation being made the court is adjourned until to-morrow morning at eleven o'clock.

Tuesday April 9th 1867.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase Chief Justice.

James M. Wayne
Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H. Swayne
David Davis and
Stephen J Field.

} Associate Justices

Richard C. Parsons Esquire Marshal.
David Wesley Middleton Clerk...

Proclamation being made the court is opened.

On motion first made to the Court in the Chair by Mr. Caleb Cushing it is ordered that Henry Flanders Esquire of Philadelphia State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this court. and he was sworn accordingly.

Tuesday April 7th 1867 - Continued

Jacob de Haven et al Appellants vs. The United States	The argument of this cause was continued by Mr. Attorney General, Stanbery of counsel for the appellees. by Mr. H. W. Stuart of counsel for the appellants, and by Mr. Hicks of counsel for the appellees

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Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock. ~

Wednesday April 11th 1867.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel Miller
Stephen J. Field
Associate Justices.

Richard C. Parsons Esqr. Marshal.
Daniel Tilley Middleton Clerk.

Proclamation being made, the court is opened.

On motion first made to the court in the behalf by Wm. M. Evarts Esq. it is ordered that John H. Sollis Esq. of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court

Wednesday April 10th 1867 Continued

on this cause by Mr Thomas Craig for it is ordered that Samuel Riggs Esquire of Lawrence State of Kansas be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Margaret Wyatt, Admx
Plaintiffs in Error.
vs.
James S. Thomas.

195

Mr. Coffey filed motion to dismiss this writ of error.

Josefa de Haro et al
Appellants
vs.
The United States

1120

The argument of this cause was continued by Mr. Hill and Mr. Carlisle of counsel for the appellees, and by Mr Evarts of counsel for the appellants.

Proclamation being made, the court is adjourned until tomorrow morning at Eleven o'clock. -

Thursday April 11th 1867.

Pursuant to adjournment, the court met this morning at the Capital

Present.

The Honorable Salmon P. Chase Chief Justice
James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
David Davis and
Stephen J. Field
Associate Justices.

Richard C. Parsons Esquire. Marshal.
Daniel Ring Middleton, Clerk.

Proclamation being made, the court is opened.-

On motion first made to the Court in due behalf by Mr Cornelius Cole, it is ordered that Henry J. Wells Esquire of San Francisco. State of California, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly..

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13 Original

The State of Georgia
Complainant
vs.
Edwin M. Stanton,
Ulysses S. Grant,
and John Pope.

Mr. C. Cover of counsel for the State of Georgia, filed motion for leave to plead upon the docket, a motion for leave to file a Bill of Complaint, in a suit proposed to be commenced by the State of Georgia, Complainant vs. Edwin M. Stanton, Ulysses S. Grant, and John Pope.

420

Adolfo de Ware et al
Appellants
vs.
The United States

The argument of this cause was continued by Mr. Cushing of counsel for the Appellees and concluded by Mr. Black of counsel for the appellants.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Friday April 12th 1867.

Pursuant to adjournment the court met this morning at the Capitol.-

Present.

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire, Marshal.
David Henry Middleton, Clerk.

Proclamation being made, the court is opened.-

On motion first made to the court in this behalf by Mr. I. J. Durant, it is ordered that John B. Robertson Esquire of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Cobb it is ordered that Benjamin Vaughn Abbott Esquire of New York City and C. F. Sherman Esquire of Boston State of Massachusetts, be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly. -

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On motion first made to the court in this behalf by Mr. Charles Hopper it is ordered that Frederic Gallatin Esquire of New York City be admitted to practice, as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. Jeremiah S. Black it is ordered that Edgar Cowan Esquire of Greensburgh State of Pennsylvania be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. -

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Hannibal Green
Plaintiff in Error
312 vs:
Morris S. VanDusklirk Ext.
and
Charles N. Talbinghast Ext.
Plaintiff in Error
313 vs:
Morris S. VanDusklirk Ext.

The argument of the motion to dismiss these cases was commenced by Mr. Carlisle in favor of the same, continued by Mr. Trumbull and Mr. Parker, in opposition thereto, and concluded by Mr. Hale in support of the motion.

The State of Mississippi
Complainant
111 Orig 6 vs:
Andrew Johnson et al.

Motion of Mr. Sharkey for leave to file bill. The argument of this motion was commenced by Mr. Attorney General Stanbery in opposition thereto, and concluded by Mr. E. J. Walker, in support of the motion.

Proclamation being made, the court is adjourned until Monday Morning at Eleven o'clock.

Monday April 15th 1867

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

James M. Wayne, Samuel Nelson, Robert C. Grier, Nathan Clifford, Noah H. Swayne, Samuel F. Miller, and David Davis — Associate Justices.

Richard C. Parsons Esquire, Marshal.

Daniel Harry Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Attorney General Stanbery, it is ordered that R. T. Carpenter Esquire of Covington, State of Kentucky be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Monday April 15th 1864 Continued.

1112	Robert H. Pearson Appellant. vs: Charles S. Dunn.	Appeal from the Circuit Court of the United States for the Northern District of California. (In Admiralty)

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is the opinion of this court, that the decree of the said Circuit Court in this cause should be so modified that the damages be reduced to fifty dollars. It is therefore ordered, adjudged and decreed by this court, that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of California, with direction to enter a decree in favor of the Appellee for fifty dollars - and it is further ordered that each party pay his own costs in this court. -

per Mr. Justice Davis

John Lee, on the demise of Robert M. Everett. Plaintiff in Error vs. John W. Sherred.

In error to the Circuit Court of the United States for the District of New Jersey.

116.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by Counsel. — On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Swayne

Widow Sarah, widow of Louis Foucher, Jean Bte Vercin, & Jean Gal Plaintiffs in Error vs. Regis G. Shepherd

In error to the Circuit Court of the United States for the Eastern District of Louisiana.

524

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court, in this cause be and the same is hereby affirmed with costs, and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Louisiana.

The Steamer "Belochoff" her tackle &c. Stephen Jarman, Claimant for owners of vessel & cargo. Appellants

vs.

The United States.

Appeal from the District Court of the United States for the Southern District of New York.

79

This cause came on to be heard on the transcript of the record from the District Court of the United

States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said District Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said District Court with directions to enter a decree in conformity to the opinion of this Court.

per Mr. Chief Justice Chase.

Samuel F. Beegle and George H. Howard claimants &c. of the cargo of the Steamer "Starbuck" Appellants

vs.

The United States

No. 179

Appeal from the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the District court of the United States for the Southern District of New York,

and was argued by counsel - On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said District Court in this cause be, and the same is hereby reversed - And that this cause be, and the same is hereby remanded to the said District Court, with directions to enter a decree in conformity to the opinion of this court

per Mr. Chief Justice Chase.

The State of Mississippi Complainant:
vs:
Andrew Johnson Etal

14 original

On consideration of the motion of Mr. Stanbery of counsel for the complainant for leave to file a Bill in this case and of the arguments of counsel thereon had - it is now here ordered by the court, that said motion be, and the same is hereby denied.

The State of Georgia
vs: Complainant:
Edwin M Stanton Ulysses

3 original

On consideration of the motion filed by Mr.

11th instant for leave to file a Bill of Complaint, therewith exhibited, and that process may issue thereon notifying the defendants that such a Bill has been filed, and that said defendants may appear, and answer the same - It is now here ordered by the court, that leave be for the said Bill of complaint be, and the same is hereby granted, and that thereupon the Clerk do issue process, as prayed for in this cause. per Mr. Chief Justice Chase.

The Chief Justice announced to the Bar that next Friday being Good Friday, the Court would adjourn on Thursday till Monday next, and that motions for Friday of this week, will be heard on Thursday.

The Steamer "Guy Shaw" &c. Appellant
vs.
The United States

84

On the motion of Mr. Butler, it is now ordered

This cause be issued immediately after the argument of Numbers 377. and 378. assigned for argument this date. -

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	William J. C. Nii Plaintiff in Error vs: John Kirkpatrick	The argument of this cause was commenced

320

by Mr. Bell of counsel for the Plaintiff in Error, and continued by Mr. Cole of counsel for the defendant in error. -

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Proclamation being made, the court is adjourned until tomorrow morning at eleven o'clock.

Tuesday April 16th 1867.

Pursuant to adjournment, the court met this morning at the Capitol.

Present:

The Honorable Salmon P. Chase Chief Justice

James M. Wayne,
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel Miller
and David Davis

} Associate justices

Richard C. Parsons Esquire Marshal
Lewis Thomas Wimbleton, Clerk.

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Hon. James M. Carlisle, it is ordered that Frank H. Stockett Esquire of Annapolis State of Maryland, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hughes. It is ordered that Lewis Burnett Esquire of South State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court. and he was sworn accordingly. ~

On motion first made to the court in this behalf by Mr. Charles J. Reed. It is ordered that Benjamin W. Lewis Esquire of East Bridgewater State of Massachusetts. be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly. ~

	William J. C. Keil Plaintiff in Error vs: John Kirkpatrick	The argument of this cause was continued by Mr. Dick of counsel for the defendant in error, and concluded by Mr. Kelly of counsel for the plaintiff in error.

320

Tuesday April 16th 1867 Continued

153. The Schooner "Sea Lion" &c. Appellant vs: The United States.

The argument of this cause was commenced by Mr Handay of counsel for the Appellants. continued by Mr Ashton Assistant Attorney General, and Mr. Cushing of counsel for the Appellees.-

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Proclamation being made, the court is adjourned until tomorrow morning at eleven o'clock. a

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Wednesday April 17th 1867

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

James M. Wayne
Samuel Nelson
Robt C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Ridgely Middleton, Clerk.

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr. Wm. M. Evarts it is ordered that Henry H. Crane Esquire of New York being be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court

in this behalf by Mr. Clinton Rice it is ordered that James D. Porter Esquire of Charleston, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly. -

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153. The Schooner "Sea Lion" &c. Appellant. vs. The United States

The argument of this cause was concluded by Mr Evarts of counsel for the appellants. -

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377 Hiram G. Perry. Plff in Error. vs. The Commonwealth of Mass.
378 Lemuel Tyndale " " " " " " " " "
1122 Thomas Salmon " " " " " " " " "
1123 Rufus Cass " " " " " " " " "
1124 Christopher Armstrong " " " " " " " " "

The argument of this cause was commenced by Mr Sewall, of counsel for the plaintiff in Error, continued by Mr. Reed Attorney General of Mass, & Russell, of counsel for the defendant in error, and concluded by Mr. Sewall for the plaintiffs in error.

Wednesday April 17th 1867 Continued.

The Steam Guy Jacket Co. Appellant vs. The United States.	The argument of this cause was resumed by Mr Ashton Assistant Attorney General of counsel for the Appellees.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock

Thursday April 15th 1869.

Pursuant to adjournment, the Court met this morning at the Capitol.—

Present.

The Honorable Salmon P. Chase, Chief Justice.

James M. Wayne
Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices
Noah H. Swayne
Samuel F. Miller
David Davis

Richard C. Parsons Esquire Marshal.
Daniel Henry Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Geo. Gifford it is ordered that C. S. Fuller Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.—

On motion first made to the Court in this behalf by Mr. J. J. Dumont it is ordered that Rufus Tisdale Esquire of

New Orleans State of Louisiana.
be admitted to practice as an Attorney and Counsellor of this court, and he was Sworn accordingly. ~

On motion first made to the court in this behalf by Mr. Caleb Cushing, it is ordered that Rollin Matthewson Esquire of New York City, be admitted to practice as an Attorney and Counsellor of this court, and he was sworn accordingly. ~

John A. McGlynn Exr &c. Plaintiff in Error
vs:
217 Henry E. Magraw.

Mr. Hill of counsel for the defendant in Error.

suggest the death of the defendant in error in this cause, and having filed a certificate of the Grant of Letters of Administration to Emily H. Magraw, moves the court for leave to Enter the appearance of the said administratrix as the party defendant

in error in this cause. In consideration whereof, it is now here ordered by the court that the appearance of the said Emily V. Flagg administratrix aforesaid be entered as the defendant in Error, and that the said administratrix be and she is hereby made the defendant in error in this cause.

The State of Mississippi
Complainant
vs:
Edwin M. Stanton
Ulysses S. Grant & Al. Co.

On consideration of the motion of Mr. Walker and Mr. Sharkey filed this date for leave to file a Bill of Complaint herewith exhibited and that process may issue thereon notifying the defendants that such a Bill has been filed, and that said defendants may appear and answer the same - It is now here ordered by the court that leave to file the said Bill of Complaint be, and the same is hereby granted and that thereupon the Clerk do issue pro-

1st original

11-Original

The State of Mississippi
Complainant.
vs:
Edwin M. Stanton Et al.

Mr Hacke filed motion for an injunction in this cause. -

13-Orig.

The State of Georgia
Complainant
vs:
Edwin M Stanton Et al.

Mr Attorney General Stanbery filed a motion to dismiss the Bill of Complaint in this cause for the want of jurisdiction

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13-Orig.

The State of Georgia
Complainant.
vs:
Edwin M. Stanton Et al.

Mr. C Conor moved the Court to fix day for the argument of the motion for an injunction filed in this cause. On Consideration whereof it is now here ordered by the Court that the motion for injunction & the motion to dismiss for the want of jurisdiction, and also the similar motions made in the case of the State of Mississippi vs: Edwin M. Stanton et al. be and the same are hereby set down for

argument on Friday next the 26th instant.-

The Connellsville and Southern Pennsylvania Railroad Company et al, Appellants
vs.
1113 Mayor &c. of City of Baltimore

Mr Jacobs of counsel for the defendants in Error moves the Court (with the consent of Mr Stuart of counsel for the plaintiff in Error, in writing filed) to fix a day for the argument of this cause.- Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises, took time to consider.-

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William Slater Appellant
vs.
1111 Lewis Maxwell

Mr Nathan in behalf of Mr Tuck of counsel for the appellant having filed a suggestion of the death of William Slater, the appellant in this cause, moves the Court for leave to enter the appearance of James Dolan Executor and Maynard

Slater and Thomas William Slater devisees, of the said William Slater deceased, as the parties appellants in this cause - On consideration whereof it is now here ordered by the court, that the appearance of the said James Slater, Executor, and Margaret Slater and Thomas William Slater devisees as aforesaid, be entered as the appellants, and that they be and are hereby made the appellants in this cause, with leave to prosecute this appeal.

Per Mr. Chief Justice Chase

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246. The United States ex rel. J. Edgar Thomson Plaintiff in Error vs. Board of Supervisors of Henry County. -

Mr. Ewing of counsel for the defendant in Error, moves the court that this cause be argued with No. 177, when that case is reached - Whereupon this Court not being now sufficiently advised of, and concurring what order

to render in the premises. Next time to consider. -

Margaret Wyatt's Adm'x
Plaintiffs in Error
vs:
James S. Thomas

195

The motion to dismiss this cause was submitted on printed arguments by Mr. Ashton in behalf of Mr. Coffey & counsel for the defendant in Error, in support of the same and was argued by Mr Blair in opposition thereto.

William T. Purcell.
Appellant
vs:
James Coleman & al

135

Mr Brent moved the court for leave to file a motion for a Bill of Review in this case and to fix a day for the argument of the same - Whereupon the court not being now sufficiently advised of and concerning what order to render in the premises will have to consider. -

162

Abel Stearns
Appellant
vs:
The United States.

Mr Cushing of
Counsel for the
Appellant having
first and read
in open Court
a Suggestion of a diminution of the
record in this case in the words and
figures following to wit:

1st A grant made by Pio Pico
on the 1st day of August A.D. 1846.
to John Adams for Canada Larga
for containing four Square Leagues.

2nd A grant made by Pio Pico,
on the 6th day of August A.D. 1846.
to Juan Critaine for the privilege of
exporting asphaltum for six years.

3rd Serial plat necessary to
describe made by Pio Pico, and date
in July A.D. 1846.

4th The Photograph of Pio Pico's
Signature to grant in this case
Ocurados 6th May 1846.

5th The Photograph of Pio Pico's
Signature to the Grant to John Reland
and Louis Arenas on the same day
as 6th of May 1846 A.D. - and also

signature on the 5th to Marginal order.

6th The Photograph of Pio Pico's Signature on the 11th of May A.D. 1846 to Marginal order on petition of Thomas Talamantes for a denunciation -

7th The Photograph of Pio Pico's signature to a marginal order on the petition of Juan de Dios of the 5th of May 1846

8th The Photograph of the signature of Pio Pico to the marginal order on the petition of Julio Cesaire for export of Asphaltum dated 6th of August A.D. 1846.

9th The Photograph of the signature of Pio Pico to the grant of concession to John Warner of place called Camajal dated August 1st 1846 -

10th The Photograph of the signature of Pio Pico to the grant to Warner of Camajal dated August 1st 1846 -

11th A letter from Don Pablo de la Guerra to Stanwell dated May 3d 1846 stating that the Ship "Barnstable" had passed Santa Barbara three

or four days before --

12th " The manifest of the Cargo stated furnished by Henry Mellus the consignee to the Custom House, signed by him and dated May 5th 1846.

13th " Afore or Statement or statement of duties on the cargo of the Ship "Barnstable", in the handwriting of Hartwell, showing that the work was done by Hartwell, and that all Diaz appears to have done was to put the Statement in Alphabetical order, which is the work of only a few days, and overcomes the conclusion of the District Judge that Diaz must have been in Monterey, several days before the 16th May preparing the work ...

14th " A Letter from Jose Arrejo the Treasurer of the Department addressed to the Governor dated Monterey June 9th 1846 giving notice to the Governor of the forwarding Account of the "Corte de Caja" of the 1st May and 1st June

15th " A Letter from Francisco Arrejo to the Governor dated January 1st

1846 transmitting the accounts for the
first respectively of each of the months
of October and December 1845
and January 1846.-

16th Letter from Governor
Abrego, to the Governor dated Febru-
ary 16th 1846, transmitting accounts
for the month of January up to the
7th of February.-

17th The original draft of the
Act of Congress of May 1st 1846, spoken
of by Judge Hoffman in his opinion,
and found in the Archives Book 662.
of Expidiental Juyments at page 384.-

18th All the other various papers,
and pieces of evidence which are
mentioned and referred to in the opinion
of Judge Hoffman, and which are not
contained in the transcript of the records,
and which are doubtless omitted from
the fact that such papers from the Span-
ish and Mexican Archives, are not al-
lowed to be kept in the Clerks office
of the District Court and therefore
are not bought in at all, but only
referred to in the original which

has given up in California land cases for the Judge to visit the Atty Gen's office, after the case is submitted, and examine the documents put in evidence, and also to examine any other documents, and make evidence of them to guide him in his determination of the case.

19th A transcript from Hartwell's index to show that the grant is regularly entered on that index and numbered 552"

By reason of which omission and errors aforesaid, the said claimant now here moved the court to award a writ of certiorari to be directed to the Judge of the District Court of the United States for the District of California, commanding him that searching the records and proceedings of said Court in this cause he shall certify to this court whatever errors and omissions shall be found. On consideration whereof it is now here ordered and decreed by this court, that a writ of certiorari be and the same is hereby awarded

to be issued forthwith, and to be directed to the Judge of the United States District Court for the District of California, commanding him that searching the records and proceedings aforesaid, he forthwith certify to this court, under the seal of the said District Court whatever omissions and errors shall be found in this cause and return the same with the said writ of certiorari forthwith to this court: per Mr. Chief Justice Chase.

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160 Chas. E. Ady et al. Appellants. vs. John A. Billings et al

Ordered by the court per stipulation of parties filed that this cause be and the same is hereby continued to the next term of this court

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161 Barthold Schlesinger et al Appellants. vs. The United States

Appeal from Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims. - On consideration whereof it is now here ordered by the Court that this appeal be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Chase.

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164 The Town of Mineral Point
Plaintiffs in Error
vs:
James Lee

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Carpenter of counsel for the defendant in Error.

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165 The Mayor &c of City of Baltimore
Appellants
vs:
The Baltimore and Ohio Railroad Company.

Ordered by the Court with the consent of the parties, that this cause be and the same is hereby continued to the next term of this court.-

Thursday April 18th 1867 Continued-

1142 Antonio Pico. Elias L. Beard & John M. Horner Appellants- vs: The United States

Mr. Ashton Assistant Attorney General of counsel for the appellants having filed and read in open court the following certificate to wit:

"The United States vs: Antonio Pico. Elias L. Beard & John M. Horner

In the District Court of the United States for the District of California-

I George C. Gorham Clerk of the District Court of the United States for the District of California do hereby certify that on the first day of October A.D. 1863. an order was made and entered in the above entitled cause pending in the District Court of the United States for the then Northern District of California, granting an appeal in behalf of Antonio to Supreme Court of United States from the Decree reject-

ing claim entered in said District Court July 2nd 1859, and that on the thirty first day of October of the same year 1864, a transcript of the record was made out by the Clerk of said Court and delivered to E.L. Bond, one of the Claimants in said cause, and I do further certify that since the thirty first day of October 1864, no other or further proceedings have been had, or taken in said cause, and I do further certify that I find no other claimants than above mentioned. -

Witness my hand and seal of said Court this twenty eighth day of December A.D. 1866.

Seal.

George F. Gorham
Clerk by Leonard G.C.

And having stated that the appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal - Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed - On consideration whereof

it is now here ordered adjudged and decreed by this Court that this appeal from the District Court of the United States for the Southern District of California be and the same is hereby dismissed and dismissed and that this cause be and the same is hereby remanded to the District Court of the United States for the District of California for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

Per Mr. Chief Justice Chase

The Schooner Hampton and cargo. Appellants
vs:
The United States.

166

The argument of this cause was commenced by Mr Bates of Counsel for the appellant continued by Mr. Ashton Assistant Attorney General of Counsel for the appellee, and concluded by Mr Bates for the appellant.

Thursday April 15th 1869 - continued. -

168. Elijah C Dungan Junr. Plaintiff in Error. vs: Martha Ewing et al.

The argument of this cause was commenced by Mr. Brent of Counsel for the Plaintiff in Error. -

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Proclamation being made, the Court is adjourned until Monday morning next at Eleven o'clock. -

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Monday April 22nd 1867.

Pursuant to adjournment the court met this morning at the Capitol.-

Present

The Honorable Salmon P. Chase. Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis.
} Associate Justices.

Richard C. Parsons Esquire Marshal
Edward Stanly Middleton. Clerk.-

Proclamation being made, the court is opened.-

On motion first made to the court in this behalf by Mr. Caleb Cushing it is ordered that Nelson Cross Esquire of New York City, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.-

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On motion first made to the court

on this Cause by Mr. Reverdy Johnson, it is ordered that John T. Thomas Esqre of Baltimore, State of Maryland be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

William Wilson, Nathl Magee, William Leschigh, C. Ho Wisendanck, Gustavus Kuhn, and Edward Suckinmeyer Appellants.

v.

George A. Sutherland.

Appeal from the Circuit Court of the United States for the District of Maryland.

158

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof it is now here ordered and decreed by this Court, that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. Per Mr. Jus. Davis

178.	The Steamboat "Ad Hine" Plaintiff in Error v. Matthew R. Tarr	In error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. — On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby Reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions that the case be dismissed for the want of jurisdiction. —

Per Mr. Justice Miller.

156.	James S. and John Richardson Complainants and Appellants. v. Lyon J. Ivy et al.	Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee and was argued by counsel. - On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit with directions to enter a decree in conformity to the opinion of this court.

per Mr. Justice Swayne.

James R. Bentley, Jesse Hoyt, & Charles Clark Claimants of the Bark "Huntsville" Appellants

vs:

Hugh Coyne, owner of the Schooner "White Cloud"

Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

149.

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Jus. Clifford.

The Steamer "Wm. Bagaley" Cargo. Joshua Bragaw. Intervenor &c. Claimant. Appellant

vs.

The United States &c. Captors.

Appeal from the District Court of the United States for the Eastern District of Louisiana

15th

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said District

same is hereby affirmed - And that this cause be, and the same is hereby remanded to the District Court of the United States for the District of Louisiana -

per Mr. Justice Clifford -

	James Francis Plaintiff in Error.	In error to the Circuit Court of the United States for the District of Missouri.
152.	vs:	
	The United States.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr. Justice Grier.

	The Illinois Central Railroad Company. Plaintiffs in Error.	In error to the Circuit Ct. of the U.S. for the Southern Dist.
141.	vs:	
	William Barron	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Illinois.

Mr. Chief Justice Nelson.

James Hyers. William Kinsley. Charles Hoit Henry C. Bowen. Wellington Clapp. William M. Scott Esq. Thomas L. Evans. Absalom C. Jennings. Joel Read. William K. Hawley. and Richard C. Talcott.

Appellants.

146 vs.

William Town. Cornelius Rollins. impleaded with Samuel Thompson and William B. Green.

Appeal from the Circuit Court of the

United States for the Northern District of Illinois. –

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the appeal of James Hayes, William Hawley, Charles Hart, Wellington Clapp, William Kent, and Samuel W. Bartley be and the same is hereby dismissed for the want of jurisdiction –

And it is further ordered adjudged and decreed by this Court that so much of the decree of the said Circuit Court in this cause, as relates to Henry C. Bowen, Thomas K. Read, Absalom C. Jennings, Joel Read, William K. Hawley and Richard C. Talcott be and the same is hereby affirmed with costs.

Jno. Vtr. Jas. Nelson.

Horace Seaver. John A. Stephenson. Augustus Sea
arendyck. Albert Plympton. Geo. A. Stephenson
States Trust & Schuyler
Resick — Appellants.
vs.
John A. Bigelow. Henry
H. Bigelow & Wm. H. Bigelow.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

1867.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that this appeal be, and the same is hereby dismissed for the want of jurisdiction. Per Mr. Justice Nelson.

Richard Yates et al.
Appellants
vs.
John A. & H. H. Bigelow

Appeal from the Circuit Court of the United States for the North-

ern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that this appeal be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Nelson.

The Town of Mineral Point
Plaintiff in Error.
vs.
James Lea.

In error to the Circuit Court of the United States for the District of Wisconsin.

164.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the

judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

per Mr. Chief Justice Chase.

Hannibal Green,
Plaintiff in Error.
v.
312 Thomas T. Van Bushirk et al
and
Charles H. Tillinghast and
Joseph M. Warren
Plaintiff in Error
v.
313 Morris S. Van Bushirk et al.

On consideration of the motion of Mr. Carlisle to dismiss these writs of error and of the arguments of counsel thereupon had, as well for as against the same it is now here ordered by the Court that said motions be, and the same are hereby overruled. —

Concurring Mr. Justice Nelson Mr. Justice Miller.

946. The United States &c. vs. J. Edgar Thomson Plaintiff in Error vs. The Board of Supervisors of Henry County. And Means & Rigg Plaintiff in Error vs. 177 Board Supervisors County of Johnson.

Our consideration of the matters of Law being filed in this cause it is now here ordered by the Court that these causes be argued together

No. 177 is reached in the regular call of the docket. ~

2113. The Connellsville & Southern Pennsylvania Railroad Company et al. ~~ Appellants. vs. Mayor &c. of Baltimore City

Our consideration of the matters of Law and Equity being filed in this cause - it is now hereupon ordered by the Court, that this cause be and the same is hereby set down for

argument on Monday next the 29th instant.~

84	The Steamer Guy Smith &c Appellants vs The United States	The argument of this cause was resumed and continued by Mr. Butler of counsel for the appellants.

Proclamation being made the court is adjourned until tomorrow morning at Eleven O'clock.~

Tuesday April 23rd 1867.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

James M. Wayne
Samuel Nelson
Robt C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
} Associate Justices.

Richard C. Parsons Esqre. Marshal.
Daniel Sharp Memaster Clerk.

Proclamation being made, the court is opened.

On motion just made to the Court in this behalf by Mr. J. S. Black, it is ordered that Aaron J. Rogers Esquire of New York City be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion just made to the Court

on this Cabinet by Mr. L. K. Curtis, it is ordered that S. Sidney Thorndike Esquire of Boston, State of Massachusetts, and E. H. Staughton Esquire of New York City be admitted to practice as Attorneys and Counsellors of this Court, and they are sworn accordingly. -

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The Commissioners of Southern Insurance Co. et al. Appellants vs. Mayor &c of City of Baltimore	Mr. Black of Counsel moved to amend the order of the Court

1113

entered yesterday fixing today for the argument of this cause - which was opposed by Mr Sabine & Thompson this Court not being now sufficiently advised of and concerning what order to render in the premises both have to consider -

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Eliza G. Davis's Lessee Plaintiff in Error vs. Martha Gray et al	The argument of this cause was continu-

168.

and by Mr Wade, and Mr Clemens of counsel for the defendants in Error, was endorsed by Mr Bent of Counsel for the plaintiffs in Error.-

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Proclamations being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday April 24th 1861.

Pursuant to adjournment this court met this morning at the Capitol.—

Present.

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
} Associate Justices

Richard C. Parsons Esquire Marshal.
Edward Delany Montague Clerk.

The motion first made to the court in this cause by Mr Reverdy Johnson it is ordered that Wm A. Graham Esquire of San Francisco State of California, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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113. James F. Southe et al. vs. Appellants
The Sabine and Mississippi R. R. Co et al

Ordered by the Court that this cause be set with No 159

	The Connellsville and Southern Pennsylvania Railroad Company & al. Appellants vs:	Ordered by the Court that this cause be and the same is hereby set
113.	Mayor &c. of City of Baltimore	

down for argument on the first Monday in May next immediately after the argument of the demurrer in the case of the Commonwealth of Virginia vs: The State of West Virginia No. 11 on the original docket which has been assigned for argument on that day.

	Alexander J. P. Garesché' Plaintiff in Error, vs:	The writ of Error to the Supreme Court of the State of Missouri
190.	The State of Missouri	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on the motion of the Attorney General for the Plaintiff in

error. It is now here ordered and adjudged by this Court, that this writ of error be and the same is hereby dismissed with costs.

for Mr. Chief Justice Chase.

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159 The Milwaukee & Mississippi Railroad Company. Appellant. vs. James T. Soutter &c. and James T. Soutter &c. Appellant vs. 203. The La Crosse & Milwaukee R. R. Co et al.

The argument of these cases was commenced by Mr. Cushing of counsel for the appellants in No. 159 and for the appellees in No. 203. and continued by Mr. Cary of counsel for the appellee in No. 159, and for the Appellant in No. 203.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday April 25th 1867

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
} Associate Justices.

Richard E. Parsons Esqr. Marshal.
David Perry Wheaton - Clerk.

Proclamation being made the Court is opened.

The Cumberland and Southern Pennsylvania Railroad Company et al Appellants. vs. Mayor &c of Baltimore City.	Printed Statements of counsel filed and distributed to the Judges by direction of the Chief.

413.

Justice. —

Thursday April 25th 1867 Continued -

	The Directors of Memphis Railroad Company Appellants vs:	The argument of this cause was continued by Mr Cary and Mr Carlisle of Counsel for the appellee in No. 159. and for the appellant in No. 203. and continued by Mr Crain of
159	James F Sculler & Co. and	
	James F. Sculler & Co. Appellant	
203	vs:	
	The Tobacco Co. Bk of Memphis & L. Co. et al.	

Counsel for the appellant in No. 159. and for the appellee in No. 203.

	The Milwaukee & St Paul R. Re. Co Appellants -	Ordered by the Court that these Causes be argued together when No 182 is reached
182	vs	
	James F. Sculler & Co. and	
	The Milwaukee & St Paul R R Co.	
212	vs: Appellants	
	James F. Sculler & Co.	

in regular call of the docket -

Proclamation being made the Court is adjourned

Friday April 26th 1861.

Pursuant to adjournment, the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire, Marshal
Daniel Wesby Middleton Clerk.

Proclamation being made the court is opened.

On motion just made to the court on the behalf of Mr. O'Connor it is ordered that Horatio F. Allen Esquire of New York City be admitted to practice as an attorney and counsellor of this court. and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm James M. Carrico it is ordered that G. D. Camden Esquire of Charlestown State of West Virginia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Wm J. S. Black it is ordered that K. S. Davis Esquire of Washington City D.C. and Joshua Hill Esquire of Madison, State of Georgia be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

On motion first made to the court in this behalf by Wm Ridgely Johnson it is ordered that Henry C. Fooding Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Attorney General Stanbery, it is ordered that Lewis E. Wells Esquire of Cincinnati Ohio be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. -

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The Connellsville and Southern Pennsylvania R.R. Company et al. Appellants vs: Mayor &c. Baltimore City

1113.

The motion and affidavit filed to dismiss the appeal of the Pittsburgh & Connellsville Railroad Company, was argued by Mr Black in support of the same. - The Court did not desire further argument, but requested Mr Labatt of counsel for the appellees to file counter affidavit in opposition to the motion. -

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The Connellsville and Southern Pennsylvania Rail road Company et al Appellants

1113. vs:

Mayor &c of Baltimore City.

Mr Black.

Mr Jarvis filed counter affidavit in opposition to the motion and affidavit of

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The Pacific Insurance Co. Plaintiff

335. vs:

Frank Soule Collector of Internal Revenue.

Mr Stiles of counsel for the plaintiff filed motion and affidavit to have this cause reinstated on the Docket - also a suggestion of diminutions of the record and motion for a writ of certiorari - Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

The United States

317. vs: Appellants

The Insurance "Nine Sisters" &c

Mr Durant of counsel for the Appel-

Cass. having filed and read in open court a suggestion of an Error in the record in this cause in the words and figures following to wit:

"That a mistake of a material character has been made by the Clerk of the Court below in copying the testimony of J. J. Comann a witness whose testimony was had in the trial which mistake consists in writing down, as if the said Comann has so testified in speaking of the Captain of U. States Coal Ship Jimmy Roberts that "he" Captain Roberts "always told me that he would be glad to see his boat and by the Confederate Government" whereas no such language or paragraph appears in the original deposition from which the copy of the testimony in the transcript of the record now on file in this court was made."

By reason of which error aforesaid, the said counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges

of the Circuit Court of the United States for the District of Louisiana, commanding them that searching the records and proceedings of said Court in this cause, they shall certify to this Court, under the seal of the said Circuit Court, whatever error shall be found. On consideration thereof it is now here ordered and decreed by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court Commanding them that searching the records and proceedings aforesaid they forthwith certify to this court under the seal of the said Circuit Court, whatever error shall be found in this cause, and return the same with the said writ of certiorari forthwith to this Court.

per The Chief Justice Chase.

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13 Original. The State of Georgia v. Complainant
Edwin M. Stanton et al

The argument of the motion to dismiss this

A Bill filed in this cause was commenced by Mr Attorney General Stanbery in support of the same, and in opposition to the motion for injunction in said cause, and continued by Mr. O'Connor of counsel for the Complainant, in opposition to the motion to dismiss, and in support of the motion for injunction.

The Pacific Insurance Co. Plaintiff in Error.	Upon consideration of the mo tion of Mr. Wells of
335. vs: Frank Soule Collector &c.	

counsel for the plaintiff in error filed this date, in this cause.- It is now here ordered by the Court that the decree of this Court, entered on the 26th day of February Ultimo, dismissing this cause for the want of jurisdiction be and the same is hereby reversed and annulled.- And that the mandate issued by this court to the Circuit Court of the United States for the District of California in this cause, be and the same is hereby recalled and cancelled

and that this cause be, and the same is hereby reinstated on the Docket.

And it is further ordered that a writ of certiorari be, and the same is hereby awarded to be issued forthwith, and to be directed to the Judges of the Circuit Court of the United States, for the District of California, Commanding them that searching the records and proceedings in this cause, they forthwith certify to this Court under the seal of the said Circuit Court "that portion of the record which shows that the cause originated in one of the State Courts of California and was afterwards transferred to the Circuit Court of the United States for decision prior to the certificate of division of opinion upon which it came up to this Court" and whatever omissions and errors shall be found in this cause, and return the same, with the said writ of Certiorari to this Court. per Mr. Chief Justice Taney.

Reargument being made, the Court this day is equally divided upon the motion to affirm the decree of the Circuit Court in this cause, and therefore the motion is overruled.

Monday April 29th 1867

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice
James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field
Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Hosley Middleton Clerk.

Proclamation being made, the court is opened.

On motion first made to the Court in this behalf by Mr. Ramsay, Johnson it is ordered that Charles Magee Jr. Esquire of Ogdensburgh State of New York, be admitted to practice as an Attorney and counsellor of this court, and he was sworn accordingly.-

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118. Alonzo Campbell Plaintiff in Error. vs. The City of Kenosha | In Error to the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to award a Venire Facias de Novo.

Per Mr. Justice Davis.

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153. The Schooner "Sea Lion" & Cargo. Francis Ellis, Master & Claimant of Lumber & Salmon Seizure Chief of Cargo & Joel H. Davis & Thos. Chase of Same Cargo. vs. The United States | Appeal from the Dist. Court of the United States for the Southern District of Florida.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Florida and was argued by counsel - On consideration whereof it is now hereby ordered adjudged and decreed by this court, that the decree of the said District Court in this cause be and the same is hereby affirmed.

Chase C.J. dissenting } Clifford Justice Swayne.
Mr. Jus Grier }

The City of Philadelphia
Plaintiff in Error
vs:
John M. Dickie
of Pennsylvania.-

154.

In error to the Circuit Court of the United States for the Eastern District

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of

the said Circuit Court in this cause be, and the same is hereby affirmed with costs. — per Mr Justice Clifford.

William F. Purcell
Appellant
vs.
135 James Coleman

Upon consideration of the motion of Mr Brent of Counsel for Appellant for leave to file a bill of review filed in this cause on the 12th Ultimo — it is now here ordered by the Court that said motion be, and the same is hereby overruled. —

per Mr. justice Grier. —

William F. C. Neil
Plaintiff in Error
vs.
320 John Kirkpatrick &c.

In error to the Circuit Court of the United States for the District of Cal.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of California, and was argued by counsel.

ordered and adjudged by this Court. that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Nelson -

Patrick Ryan, Administrator and Mary E. Ryan, only heir of Margaret Ryall, deceased. Plaintiff in Error	In Error to the Supreme Court of the State of Missouri.
195. vs: James S. Thomas	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and on the motion of Mr Coffey of counsel for the defendants in Error to dismiss this writ of error. On consideration whereof it is now here ordered and adjudged by this court that this writ of error be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Chase.

Monday April 29th 1867 continued

377.	William C. Lunar Plaintiff in Error vs. The Commonwealth of Massachusetts	In error to the Supreme Court of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Massachusetts, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per The Chief Justice Chase.

378.	Leonard Lynde Plaintiff in Error vs. The Commonwealth of Massachusetts.	In error to the Supreme Court of the Commonwealth of Massachusetts.

This cause came on to be heard

the Superior Court of the Commonwealth of Massachusetts and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Superior Court in this cause be, and the same is hereby affirmed with costs.

(per Mr. Chief Justice Chase.)

Thomas Salmon
Plaintiff in Error
1122 vs.
The Commonwealth of Massachusetts.

In error to the Supreme Court of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Massachusetts, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Monday April 29th 1867. Contd.

1123	Rufus Cass Plaintiff in Error vs. The Commonwealth of Massachusetts	In error to the Supreme Court of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Massachusetts, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs. per Mr. Chief Jus. Chase.

1124	Christopher Armstrong Plaintiff in Error. vs. The Commonwealth of Massachusetts.	In error to the Supreme Court of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from

the Supreme Court of the Commonwealth of Massachusetts and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs. Per. The Chief justice Chase.

Wellington & Petersburg Rail. Claimants &c. Appellants

vs:

The United States

and

G. A. Scott & Co &c Claimants & Appellants

vs:

The United States

270.

265.

Upon consideration of the motions filed 13th February ultimo to dismiss these Appeals, and of the arguments thereupon had, as well in support of as against the same - it is now here ordered by the court that said motions be and the same are hereby overruled. -

---

Monday April 29th 1867 Contin.

The Connellsville and Southern Pennsylvania R.R. Co. &al. Appellants
vs.
Mayor &c. of Baltimore

Upon consideration of the motion filed by Mr. Black to dismiss the appeal of the Pittsburgh & Connellsville Railroad Company in this case it is now here ordered by the Court that the said motion be and the same is hereby overruled.-

And it is further ordered that the order entered on the 24th instant fixing a day for the argument of this cause be and the same is hereby recinded and annulled.

per Mr. Chief justice Chase.

Milwaukee & Minnesota Railroad Company.
vs. Petitioners.
Judges of the Circuit Court U.S. District of Wisconsin

In Original

Mr Carey filed motion for leave to file suggestion - motion fixed for argument on Friday 3rd of May next.-

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The Seneca Manufacturing Company et al. Appellants vs. The Hartford Canal Co.	On the application of Counsel, it is now hereby ordered by the Court, that five hours and a half be allowed the Counsel for the appellants and five hours and a half to the counsel for the appellees, in the argument of this cause.
169	

The Chief Justice announced to the Bar, that the Court will adjourn on the 20th of May inst. and will not hear arguments after the 15th of May.

The Seneca Manufacturing Co et al. Appellants vs. The Hartford Canal Co	The argument of this cause was commenced by
169	

Mr. Stoughton of counsel for the appellants. —

Proclamation being made, the Court is adjourned until tomorrow morning at

Tuesday April 30th 1867.-

Pursuant to adjournment the Court met this morning at the Capitol.-

Present.

The Honorable Salmon P. Chase Chief Justice.
James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field.
Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court on this behalf by Mr. Chase Clerk it is ordered that Allen A. Burton Esquire of Lancaster State of Kentucky be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.--

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Tuesday April 30th 1861 Continued

396	Hugh Carey Plff in Er.	vs.	The State of Iowa.			
397	G. Klunzemann " "	vs	"	"	"	"
398	Adam Bachman " "	vs.	"	"	"	"
399	Charles Bahlar " "	vs.	"	"	"	"
400	John Newman " "	vs.	"	"	"	"
401	Louis Klutz " "	vs	"	"	"	"
402	John Bennett " "	vs.	"	"	"	"

These cases were submitted to the consideration of the Court on the record and printed arguments by Mr. Riddle of counsel for the plaintiff in Error, and by Mr Cady of counsel for the defendants in Error.

	H. Lovell Manufacturing Co et al Appellants	The argument of this cause was continued
169	vs:	
	The Stamford Carpet Co.	

by Mr Stoughton of counsel for the appellants, and by Mr Evarts & Mr Gifford of counsel for the appellees.

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday May 1st 1867.

Pursuant to adjournment, the court met this morning at the Capitol.-

Present.

The Honorable Salmon P Chase Chief Justice

James M Wayne
Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
} Associate Justices.

Richard C Parsons Esqre Marshal
Daniel Wesley Middleton Clerk

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr Thomas C Corner it is ordered that Madison Wingfield Esquire of New York city, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.-

---

The Lowell Canal Manufacturing Co. & al. Appellants
169 vs:
The Hamden Canal Co.

The argument of this cause was continued by Mr. Gifford of counsel for the appellees and by Mr Curtis of counsel for the Appellants.-

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Proclamation being made, the court is adjourned until tomorrow morning at Eleven O'clock.-

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Thursday May 2nd 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present:

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire Marshal.
David Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

Sewell Manufacturing Company et al Appellants
vs.
The Rockford & Rock Island Co. Appellees

169

The argument of this cause was concluded by Mr Curtis of Counsel for the Appellants.

Thursday May 2nd A.D. 1867 Continued

The United States Ext. David S. Phillips Plaintiff's	On a certificate of division in opinion
1470. vs:	
Chas. H. Constable Judge &c.	

in between the Judges of the Circuit Court of the United States for the Southern District of Illinois -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and on the point or question upon which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably to the Act of Congress in such case made and provided, and it appearing to the Court here that no appearance of counsel has been entered in this case - It is therefore pursuant to the 18th Rule of this Court now here considered - Ordered and adjudged by this court that this cause be and the same is

Henry dismissed with costs.

Thompson & al vs. same
cause adjudged, and decreed by this
court, that it be so certified to the said,
Circuit Court.

per Mr Chief Justice Chase.

United States Ex'rs Appellants 1771. vs. Lewis Blundell	This cause was argued by Mr Field of counsel for the appellants. No counsel ap- pearing for the appellee.

The United States Appellants 179. vs. Pic Pic et al	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Attorney General Stanbery, and Mr Wills, of counsel for the appellants and by Mr Coffey of counsel for the Appellees.

The Illinois Central R. R. Co. Plaintiff in Error vs. William Vocanard Jr.	Ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.

The United States Ernst Murray McConnell Plaintiff in Err. vs. James M. Edmunds Commissioner of Internal Revenue Office	The cause was argued by Mr. Longyear of counsel for the plaintiff in Error No Counsel appearing for the defendant in Error.

174

Joseph Tolman et al Plaintiff in Error vs. Robert Donnelson &c	The argument of this cause was commenced by Mr Reynolds of counsel for the plaintiffs in Error.

175

Proclamation being made, the court is adjourned until tomorrow morning at Eleven o'clock.

Friday May 3rd 1867.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P Chase Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons. Esquire Marshal.
Daniel Wesley Middleton. Clerk.

Proclamation being made the court is opened.

William H. Hedfield
Plaintiff in Error
vs.
380 Edmund McC. Ivens

Mr Carlisle. filed and submitted to the Court motion to dismiss this cause. Whereupon this court not being now sufficiently ad-

to render in the premises costs time to consider.

The Milwaukee and Minnesota Railroad Company. Petitioners vs: Judges Circuit Court U.S. District - Wisconsin	On motion of Mr Cushing Consent of Mr Carey - Motion of Mr Carey for leave &c postponed for argument until to friday next. -

---

The State of Mississippi Complainant vs: Edwin M. Stanton et al	The argument of the motions to dismiss the Bill and for an injunction in this cause was continued by Mr. R. J. Walker of counsel for the complainant in opposition to the motion to dismiss and in favor of the motion for injunction. -

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Friday May 3rd 1867 Continued

The Chief Justice announced to the Attorney General that the Court would hear his closing argument in the Cloud Cause on Monday next.

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock.

Monday May 6th 1867.

Pursuant to adjournment, the court met this morning at the Capitol.

Present,

The Honorable Salmon P Chase Chief Justice.

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field

} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the court is opened.

Our motion first made to the court in this behalf by Mr George H. Lee, it is ordered that A. Stanton Esquire of Wheeling State of West Virginia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in that behalf by Mr James McCarrick, it is ordered that Christopher Grammer Esquire of Washington City District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Philemon B. Ewing Complainant Appellant
vs.
The City of Saint Louis

151.

Appeal from the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be and the same is hereby

Charles Blue Jacket for himself and other members of the United tribe of Shawnee Indians residing in Kansas Plaintiffs in Error.	In error to the Supreme Court of the State of Kansas.
325. vs. The Board of Commissioners of the County of Johnson State of Kansas	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to enter judgment in conformity to the opinion of this Court.

Mr Justice Miller, not being present (at the argument) took no part in the decision of this cause.

Per Mr Justice Davis

Silas Beaver et al. representing the Piora Indians residing in Kansas
Plaintiffs in Error
vs:
The Board of Commissioners of the County of Miami State of Kansas

In error to the Supreme Court of the State of Kansas

336.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to enter judgment in conformity to the opinion of this Court.

Mr Justice Miller not being present at the argument of this cause took no part in the decision

Per Mr Justice Davis

Van Zeck et al
Representing the Miami
Indians residing in Kansas
Plaintiffs in Error

327. vs.

The Board of Commissioners
of the County of Miami
State of Kansas

In error
to the
Supreme
Court of
the State
of Kansas.

This cause
came on
to be heard on the transcript of the
record from the Supreme Court
of the State of Kansas and was
argued by counsel. On consid-
eration whereof it is now here
ordered and adjudged by this
Court that the judgment of the
said Supreme Court in this cause
be and the same is hereby reversed
with costs, and that this cause be
and the same is hereby remanded
to the said Supreme Court with di-
rections to enter judgment in
conformity to the opinion of this court.

Mr Justice Miller not being present at the argument of this cause took no part in the decision

Per Mr Jus Davis

The Schooner Hampton &c Cargo. Joseph B. Brinkley Claimant. Appellant.

166. vs:

The United States.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this court, that the decree of the said Supreme Court in this cause be and the same is hereby affirmed. -

per Mr. Justice Miller -

Eliza C. Dorr's Lessee Plaintiff in Error

168. vs:

Martha Gray, Thomas Palmer, James Goodhand John Bright, Henry G. Dodge, Thomas Tanner and Thomas Sand.

In error to the Circuit Court of the United States for the District of Maryland.

This cause came

on it to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr Jus. Miller.

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84 The Steamer Gay Jacket &c. Appellant, vs. The United States. | Ordered by the Court that the motion filed by

Mr. Butler in this cause for leave for further proof, be and the same is hereby overruled.

The Steam Tug Jacket and Cargo. Timothy Mahon, Claimant Appellant.	Appeal from the District Court of the United States
84. vs:	
The United States	

for the Eastern District of Louisiana. This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court, that the decree of the said District Court in this cause be and the same is hereby affirmed. And that this cause be, and the same is hereby remanded to the District Court of the United States for the District of Louisiana.

per Mr Jus Swayne

Monday May 6th 1867 Continued

The Ship "Bird of Paradise" Her Tackle Apparel & Cargo. Taylor & Company Claimants Appellants

vs.

Leopold Heyneman and Frederick F. Solomons

Appeal from the Circuit Court of the United States for the Northern District of California

155

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein, in conformity to the opinion of this Court. - Per Mr Justice Clifford -

Monday May 6th 1867 Continued

The United States
Appellants
1867 vs.
Louise Fontaine Le Gardeur
De Repentigny, Lizette
Antoinette Le Gardeur De
Repentigny, Guy Rollon
Theresa Emilie Claire
Amable Claire, Marie
Clemide Claire and
Marie Claire Claire

Appeal
from the
District Court
of the United
States for the
Eastern Dis-
trict of
Michigan.

This cause
came on
to be heard
on the transcript of the record from the District Court of the United States for the Eastern District of Michigan and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said District Court in this cause be, and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the Bill.

per Mr. Justice Nelson

99 The United States Libellants and Appellants vs. The Bark Senior & Cargo

Appeal from the District Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court, that the decree of the said District Court, in this cause be, and the same is hereby affirmed, and that this cause be, and the same is hereby remanded to the District Court of the United States, for the District of Louisiana.

Per Mr. Chief Justice Chase

Monday May 6th 1867 Continued-

The Bark Science's Cargo
John Rocard et al. Claimants
Appellants
251. vs.
The United States

Appeal from the District Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed, and that this cause be and the same is hereby remanded to the District Court of the United States for the District of Louisiana

per Mr. Chief Justice Chase

The United States Libels
Appellants
101. vs
The Brig "Carolina" Her Cargo

Appeal from the District Court of the United States

for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this court, that the decree of the said District Court in this cause be, and the same is hereby affirmed and that this cause be, and the same is hereby remanded to the District Court of the United States for the District of Louisiana.

Per Mr Chief Justice Chase.

The Bay Dashing Wave & Cargo. John Keyes & al. Claimants Appellants
vs
The United States

253.

Appeal from the District Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the

United States for the Eastern District of Louisiana and was argued by counsel On consideration whereof it is now here ordered, adjudged, and decreed by this Court, that the decree of the said District Court, in this cause be, and the same is hereby reversed. and that this cause be and the same is hereby remanded to the District Court of the United States for the District of Louisiana, with directions that the costs and expenses be ratably apportioned between the Brig, and the Shipment of Coin, and that the residue of the cargo be exempted from contribution.

Per Mr. Chief Justice Chase.

The United States Appellants,
vs.
The Bark Teresita

Appeal from the District Court of the United States for the Eastern

1102.

District of Louisiana.

This cause came on to be heard on the transcript

of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed. and that this cause be, and the same is hereby remanded to the District Court of the United States for the District of Louisiana with directions that the costs and expenses be paid by the Appellants.

per The Chief Justice Chase

The Brig Yeland, her tackle & cargo. Appellant
vs.
The United States

138. Appeal from the District Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel. On

dered, adjudged, and decreed by this court, that the decree of the said Circuit Court in this cause be and the same is hereby reversed - And that this cause be, and the same is hereby remanded to the District Court of the United States for the District of Louisiana, with directions to enter a decree of restitution or payment of costs, and charges.

Per Mr. Chief Justice Chase.

Hugh Carney Plaintiff in Error vs: The State of Iowa	In error to the Supreme Court of the State of Iowa.

376.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme

is hereby affirmed with costs.

per Mr. Chief Justice Chase.

J. Montgomery. Plaintiff in Error	In error to the Supreme Court of the State of Iowa.
397 vs.	
The State of Iowa	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel - On consideration whereof, it is now here ordered, adjudged & decreed by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Chase.

Adam Bachman Plaintiff in Error	In error to the Supreme Court of the State of Iowa.
398 vs.	
The State of Iowa.	

This cause came on to be heard on the transcript of the record from

the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Jas. M. Ch. Jus. Chase.

Chas. Babler Plaintiff in Error. vs. The State of Iowa.	In Error to the Supreme Court of the State of Iowa.

397

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Jas. M. Ch. Jus. Chase.

	John Newman Plaintiff in Error	In error to the Supreme Court of the State of Iowa.
1100	vs: The State of Iowa	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Chase

	Lewis Stutz, Plaintiff in Error	In error to the Supreme Court of the State of Iowa
1101.	vs: The State of Iowa.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel - On consideration whereof it is now here

ordered and adjudged by this court that the judgment of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs.
per Mr Chief Justice Chase.

John Bennett Plaintiff in Error	In Error to the Supreme Court of the State of Iowa.
1102. vs. The State of Iowa	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs. per Mr. Chief Justice Chase.

The State of Georgia Complainant vs. Edwin M. Stanton et al. Defts.	The argument of the motion to dismiss the Bill, in these cases and the
13. Original	

The State of Mississippi
Complainant
vs.
Edwin M. Stanton et al.

motions for injunctions' continued by the Attorney General Stanbery in support of the motions to dismiss, and in opposition to the motions for injunctions.

Wm D. Dent for Pl
Plaintiff in Error
vs.
Edmund M. Jones

Error to the Circuit Court of the United States for the Middle District of Tennessee.

380.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and on the motion of Mr. Curtis of counsel for the defendant in Error to dismiss this cause. And it appearing to the Court, that no writ of error has been returned with the record to this Court, neither does it show a service of citation – it is therefore ordered and adjudged by this Court, that this cause be and the same is hereby dismissed for the want of jurisdiction – under

the writ of error, with proof of service of citation, be returned and filed during the present term.

for The Chief Justice Chase -

Proclamation being made, the court is adjourned until tomorrow morning at Eleven o'clock -

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Tuesday May 7th 1867

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis 2nd
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made, the court is opened.

Joseph Fellows et al.
Plaintiffs in Error
175. vs.
Robert Denniston &c.

This cause was submitted to the court on the record and printed arguments, by Mr. Reynolds of counsel for the plaintiffs in Error and by Mr. Merriman of counsel for the defendant in Error.

171	William Starr Exr &c Appellants vs. Lewis Maxwell	The See of Counsel filed a Suggestion of the death of Lewis Max- well the appellee in this cause.

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7 Original	The United States Petitioners vs. M. A. K. de Peti &c.	On motion of the Attorney General Stan- bury, it is now here ordered by the Court, that this cause &c, and the same is hereby set down for argument, on Friday next the 10th instant.

325	Thos Mayerhall et al vs Plaintiffs in Error County of Johnson	On motion of Mr Attorney General Stanbery, it is now here ordered by the Court, that the Clerk have leave to issue the
326	Yellow Beaver et al vs Plaintiffs in Error County of Miami and Han-dy-op-o-ah-et al	

Tuesday May 7th 1867 continued

The Commonwealth of Virginia
Complainant
vs.
The State of West Virginia

(Original)

The argument of the demurrer filed in this cause was commenced by Mr. Benjamin Stanton in support of the same, and continued by Mr. Andrew Hunter in opposition to the demurrer.

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday May 8th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Hesley Middleton Clerk.

Proclamation being made the court is opened.

On motion just made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that Daniel Clarke Esquire of Upper Marlboro. State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was accordingly.

On motion first made to the court in this behalf by Mr Benjamin Stanton, it is ordered that Henry N. Blackburn, and Joseph S. Steele Esquires of Martinsburg West Virginia be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly. —

— Order of Court. —

Ordered. That no copies of the orders, rules and forms in bankruptcy or of any of them, to be established by this court, shall be published until the order of this Court.

Marcus C. Riggs
Plaintiff in Error
vs.
The Board of Supervisors of the County of Johnson

177.

Mr Strong of counsel for the defendant in Error moved the

Court to continue this case to the next term in consequence of the illness of Mr Browning with whom he a

associated - which was opposed by Mr. Fellows of counsel for plaintiff in Error. The Counsel then filed written statement by direction of the Court - Whereupon this Court, not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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11 Original. The Commonwealth of Virginia Complainant vs The State of West Virginia

The argument of the demurrer filed in this case was continued by Mr. B. R. Curtis in opposition to the same and concluded by Mr Reverdy Johnson, in support of the demurrer.

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1 Error. John H. Wm. H. Wm. Thompson Plaintiff in Error vs George W. Riggs et al

The argument of this cause was commenced by Mr Nathaniel Wilson of counsel for the plaintiff in Error.

Proclamation

Thursday May 9th 1867

Pursuant to adjournment the court
met this morning at the Capitol.-

Present

The Honorable Salmon P. Chase Chief Justice
James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Associate Justices

Richard C. Parsons Esquire Marshal
David Wesley Middleton, Clerk.

Proclamation being made the court
is opened.-

On motion first made to the court
in this behalf by Mr. Sandy Johnson
it is ordered that John H. McCunn
Esquire of New York City be admitted
to practice as an attorney and
counsellor of this court and he was
sworn accordingly.-

Thursday May 9th 1867. Continued.

Marcus C Kiggs
Plaintiff in Error
vs.
The Board of Supervisors
of the County of Johnson

On consideration of the motion of Mr Strong for a continuance of this cause - It is now here ordered by the Court that this cause be, and the same is hereby continued to the next term of this Court.

William Goodman, Christopher Lorance & William M Thomas
Plaintiff in Error
vs.
The Illinois Central Railroad Co.

In error to the Circuit Court of the United

1118.

States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr Johnson of counsel for the plaintiffs in Error stating that the matters in controversy in this cause had been agreed and settled

ulation on file it is now here ordered and adjudged by this Court, that this writ of error be and the same is hereby dismissed each party paying their own costs.

per Mr. Chief Justice Taney

N. Illinois Central Railroad Company - Plaintiff in Error.	In error to the
1743. vs:	Circuit
William Woodward, Christopher Columbus Baldwin, & Wm H. Baldwin	Court of the United

States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr. Johnson of counsel for the defendants in error, stating that the matters in controversy in this cause have been agreed and settled between the parties, per writ. ten stipulation on file - It is now here ordered and adjudged by this Court, that this writ of error be

and the cause is hereby dismissed with costs to pay their own costs per Mr Chief Justice Taney.

45	The Milwaukie & Mississippi Rail Road Company. Petitioners	Mr Cushing on motion obtained leave to file a petition for a Mandamus on the Hon A. G. Miller Judge &c.

176.	John Wm Thompson Plaintiff in Error vs George W. Riggs & Co	The argument of this cause was continued by Mr Wilson of Counsel for the plaintiff in Error continued by Mr Cox and Mr Carlisle of Counsel for the defendants in Error and concluded by Mr Bradley for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday May 10th 1867.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the court is opened.

On motion first made to the Court in this behalf by Wm. C. Cushing it is ordered that Alfred P. Ely Esquire of New Bedford State of Massachusetts, and Thomas K. King Esquire Fairhaven State of Rhode Island, be admitted to practice as attorneys and counsellors of this

Court and they were sworn accordingly...

On motion first made to this Court in their behalf by Mr William Schley it is ordered that Jaquelin Taylor Esquire of Norfolk State of Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr James M. Carlisle it is ordered that William J. Miller Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr J. S. Black it is ordered that Henry Beard Esquire of Washington City D.C. be admitted to practice as an Attorney and Counsellor of this court and he was sworn accordingly.

Edwin G Litchfield
Plaintiff in Error
vs:
391. The Dubuque & Pacific R.R. Co.

On motion of Mr Cooley of counsel for the defendant in Error, leave is hereby granted him to withdraw from the files of this court, the motion to dismiss this writ of error, and that the case stand for argument when reached in the regular call of the docket.

William H. Merrifield
Plaintiff in Error
vs:
380. Edmund D. Evans

On consideration of the motion filed this date by Mr Carlisle of counsel for the defendant in Error It is now here ordered by the Court that this cause do stand dismissed, unless the plaintiff in error shall within sixty days from notice of this order file with the clerk a bond with good and sufficient security in due form of law to prosecute his writ of error with effect and to answer all damages and costs

of his fail to make his fee a good and legal one to be approved by the proper Officer

for Mr Chief Justice Chase.

The State of Mississippi Complainant
vs.
Edwin M. Stanton Defd.

The Plaintiff asks leave to amend the Fee fees in this cause, which was opposed by Mr Attorney General Stanbery.

The Milwaukee and Minnesota Railroad Co. Petitioners
vs.
Judges Circuit Court U.S. District of Wisconsin

The argument on motion for leave to file a suggestion in this cause, was commenced by Mr Carey in support of the same, and continued by Mr Crane and Mr Cushing in opposition thereto, and concluded by Mr Carey in favor of the motion.

Friday May 11th 1860 Continued

Ex parte The United States Petitioners	The argument on the return of the District Judge
7 original v.	
In the matter of A. R. C. a Peti	

to show cause why a peremptory Mandamus should not be issued, commanding him to grant an appeal in this case was commenced by Mr Ashton Asst. Attorney General for the United States continued by Mr Black in support of the return, and concluded by Mr Wells, for the United States.

Ex parte The Milwaukee and Mississippi R. R. Co.	The argument on the petition for a man
13 original = Petitioners.	

damus, on the District Judge U. S. for the District of Wisconsin, was commenced by Mr Cushing in support of the same, continued by Mr Carey in opposition thereto, and concluded by Mr Graves in favor of the petition. –

Friday May 11th 1867. Continued.

James B. Townsend et al.
Plaintiff in Error
vs:
181. Catal Durbant

This cause was submitted to the Consideration of the Court on the printed arguments by Mr Ewing of counsel for the plaintiffs in Error and by Mr Stewart of counsel for the defendant in Error.

The Milwaukee & St Paul Railroad Company
Appellants
vs:
182. James T. Sculler &c.
and
The Milwaukee & St. Paul Railroad Company
Appellants
vs:
212. James T. Sculler &c.

This argument of these cases was commenced by Mr Carey of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday May 13th 1867.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

Order of Court.

Rule No. 30.

Ordered - That all cases on the calendar except cases advanced as hereinafter provided, shall be heard when reached in the regular call of the docket and in the order in which they are entered. - Criminal cases

may be advanced by leave of the court on motion of either party - Revenue cases and cases in which the United States are concerned, which also involve or affect some matter of general public interest, may also by leave of the court be advanced on motion of the Attorney General. Two or more cases also involving the same questions may by the leave of the court be heard together, but they must be argued as one case.

Order of Court.-

The Chief Justice announced - That the Reporter having represented that owing to the number of decisions at the term, it will be impracticable to put the reports in one volume.

It is ordered that the Reporter publish an additional volume in this year under the act of Congress of March 2nd 1867.

May 13th 1867.

Josefa de Haro et al.
Appellants
vs:
The United States

1120.

Appeal from the District Court of the United States for the Northern

District of California.—

This cause came on to be heard on the transcript of the record from the District Court of the United States, for the Northern District of California, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court, that the decree of the said District Court in this cause be, and the same is hereby affirmed. And that this cause be, and the same is hereby remanded to the District Court of the United States, for the District of California.

Dissenting { Mr. Justice Davis
Mr. Justice Field }

The Milwaukee and Minnesota Railroad Co. Petitioners

10. Original. : vs:

The Judges of the Circuit Court of the United States for the District of Wisconsin.

Petition for a writ of Mandamus.

This cause came on to be heard on the petition filed, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that a writ of Mandamus issue from this court, directed to the Judges of the Circuit Court of the United States for the District of Wisconsin, requiring and commanding them to proceed with the execution of the order of that Court of July 18th 1865. referred to, in said petition.

per Mr Justice Miller.

Ex parte. The Milwaukee and Minnesota Railroad Co. Petitioners.

15 Original. :

Petition for a writ of mandamus on the Judges

of the Circuit Court of the United States for the District of Wisconsin. This cause came on to be heard on the petition filed, and was argued by counsel. On consideration whereof, it is now here ordered by this court, that the motion for a writ of Mandamus &c, be and the same is hereby overruled. And it is further ordered by the court, that upon the petitioners filing a bond in the case of the Milwaukie and Minnesota Railroad Company Appellant, vs. James T. Sutton, Sheriff &c. No. 1131. on the docket at the present term of this court, in the penal sum of fifty thousand dollars, with the usual conditions, at any time within thirty days from the date, which be and shall be approved by the Clerk of this court, a Supersedeas will issue from this court, directed to the Judges of the Circuit Court of the United States for the District of Wisconsin, and to the Marshal of the United States for said District commanding a stay of proceedings under the decree of said

Circuit Court entered in said cause on the 5th day of March A.D. 1867 until the further order of this court, the same being superseded.

Per Mr. Justice Miller

The Milwaukee and Minnesota Railroad Co. Appellants vs. James T. Smith and Shepherd Knapp, Survivors of Isaac E. Brown (deceased)	Appeal from the Circuit Court of the United States for the District of Wisconsin

159

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court, that the orders of the District Court, appealed from be, and the same are hereby annulled and set aside at the costs of the complainants. And that this cause be, and the same is hereby remanded to the

Circuit Court of the United States for the District of Wisconsin, with directions to order a sale against the Marshal who made the sale, to report it to that Court for further proceedings to be had therein, not inconsistent with the opinion of this Court.

per Mr. Justice Miller.

James T. Sutter and Shepherd Knapp Trustees of Isaac C. Bunce (deceased) Trustee - Appellants

vs.

The La Crosse & Milwaukee Railroad Company et al

Appeal from the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel - On consideration whereof, the court being equally divided, it is now hereby ordered by this court that the decree of the Cir-

cuit Court of the United States, for the District of Wisconsin, in this cause appealed from, be and the same is hereby affirmed with costs. -

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The Detroit Mining Navigation and Railroad Company Plaintiff in Error vs. 138. Calvin Burr Southern District of New York.	In error to the Circuit Court of the United States for the Southern Dist. of N.Y.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court with di-

rections to award a venire facias de novo.

Mr Justice Miller took no part in the decision of this case

Samuel G. Hazard
Plaintiff in Error
vs.
N. Y. & Virginia Navigation and Railroad Company

In error to the Circuit Court of the United States for the South

2121

ern District of New York -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel.

On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Mr Justice Miller took no part in the decision of this case.

Monday, May 13th 1861. Continued.

	The United States, on the relation of Murray McConnel, Plaintiff in Error, vs. James M. Edmunds Commissioner of the General Land Office	In error to the Supreme Court of the District of Columbia.
1741.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Nelson

	The United States Libellants, Appellants vs. The Schooner Jenny & Cargo.	Appeal from the District Court of the United States for
100.		

the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said District Court in this cause be and the same is hereby reversed - And that this cause be, and the same is hereby remanded to the District Court of the United States for the District of Louisiana with directions to enter a decree condemning the vessel and the seventy one bales of cotton, claimed for J. Kennedy and restoring the forty four bales, and thirty nine bales respectively to the claimants of said bales, represented by the master, without consideration as to costs or expenses.

per Mr Chief Justice Chase

Monday May 13th 1867. Continued -

952. The Schooner Jenny & Cargo. Hale Master et al. Claimants. Appellants vs. The United States

Appeal from the District Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the District Court of the United States for the District of Louisiana for further proceedings to be had therein, in conformity to the opinion of this Court.

Per Mr Chief Justice Chase

111.	The United States Appellants vs: The Steamer "Star of the Range." George Rigg, Claimant.	Appeal from the District Court of the United States for the Southern District of Florida

This cause came on to be heard on the transcript of the record from the District Court of the United States, for the Southern District of Florida, and was argued by counsel. - On consideration whereof it is now here ordered, adjudged, and decreed by this court, that the decree of the said District Court in this cause be, and the same is hereby reversed. - And that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein, in conformity to the opinion of this court.

per Mr. Chief Justice Chase

181.	James B. Townsend and John F. Townsend - vs: Caleb Burgwin	In error to the Supreme Ct. of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr Chief Justice Chase.

The Lowell Manufacturing Co. and Erastus B. Bigelow Appellants v. The Hartford Gas Light Company	Appeal from the Circuit Court of the United States.

1069

for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Connecticut, and was argued by counsel - On consideration whereof, the Court being equally divided, it is now here ordered by this Court that the decree of the said Circuit Court in this cause be and the same

is hereby affirmed with costs

The State of Georgia Complainant 13 original vs: Edwin M. Stanton Wayne S. Dent and John Pope	Bill in Equity.

This cause came on to be heard on the Bill of Complaint filed and on the motion of Mr Attorney General Stanton to dismiss said Bill for the want of jurisdiction and was argued by counsel - On consideration whereof it is now hereby ordered and decreed by this Court, that said Bill of Complaint be and the same is hereby dismissed for the want of jurisdiction

per Mr. Chief Justice Taney.

The Commonwealth of Virginia Complainant 11 original vs. State of West Virginia	Ordered by the Court that this cause be held under advisement and continued to the next term of this Court.

Monday May 13th 1867 Continued-

	The Milwaukee and St Paul Railroad Company Appellants	The argument of these cases was continued by Mr Cary of counsel for the appellants & by Mr Evarts of counsel for the Appellees.-
182.	vs:	
	James T. Foster &c.	
	And	
	The Milwaukee and St Paul Railroad Company Appellants	
212.	vs:	
	James T. Foster &c.	

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday. May 14th 1867

Pursuant to adjournment. the Court met this morning at the Capitol.

Present.

H. Chief Justice Taney	Chief Justice
James M. Wayne	Associate Justices
Samuel Nelson	
Robert C. Grier	
Nathan Clifford	
Noah H. Swayne	
Samuel F. Miller	
David Davis	
Stephen J. Field	

Richard C. Parsons Esquire. Marshal.
Daniel Wesley Middleton. Clerk.

Proclamation being made. the court is opened.

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101. The United States Libellants & Appellants vs: The Brig "Lashing Hare" &c. | On motion of Mr Mann of counsel for the appellee and with the consent of Mr Ashton. Asst: Attorney General - It is now here ordered by the Court that the Clerk

of this Court. transmit to the Clerk of the District Court of the United States for the District of Louisiana the original papers sent up from that Court in this case.

The County of Armstrong
Plaintiff in Error
vs.
224 Henry S. Bent.

In error to the District Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Pennsylvania. and on the motion of Mr Cowan of counsel for the plaintiff in Error, stating that the matters in controversy in this cause had been agreed and settled between the parties per certificate of Clerk Circuit Court on file.- it is now here ordered and adjudged by this Court, that this writ of error be and the same is hereby dismissed with costs-

Tuesday May 14th 1867 Continued.

182. The Milwaukee and St Paul Railroad Co. Appellants vs: James T. Soutter &c. and The Milwaukee and St Paul Railroad Co. Appellants vs: James T. Soutter &c. 212.

for the appellants.

The argument of these cases was continued by Mr Crane and Mr Cushing of counsel for the appellees and concluded by Mr Carlisle of counsel

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12 originals - The State of Texas Complainant vs George W. White et al.

The argument on the bill and motion for an injunction in this case was commenced by Mr Brent in support of the same, and continued by Mr Moore in opposition thereto.

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clock.-

Wednesday May 15th 1867.

Pursuant to adjournment the Court met this morning at the Capital.

Present.

The Honorable Salmon P. Chase Chief Justice
James M. Wayne
Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis and
Stephen J. Field

Richard C. Parsons Esquire. Marshal.
David Wesley Middleton. Clerk.

Proclamation being made. the Court is opened.

On motion first made to the Court in this behalf by Mr R. J. Walker. it is ordered that E. M. Johnson Esquire of Detroit, State of Michigan. be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday, May 15th 1867. Continued.

172. The United States, Appellants vs. Pio Pico et al. | Appeal from the District Court of the United States for the Southern

District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof it is now here ordered, and judged, and decreed by this court, that the decree of the said District Court in this cause be, and the same is hereby affirmed, and that this cause be, and the same is hereby remanded to the District Court of the United States for the District of California.

Dissenting Mr Justice Clifford } (per Mr Justice Field.

130 Samuel N. Parmalee
Appellant
vs.
Andrew J. Simpson

Mr Carlisle of counsel for the Appellant in this cause moved the Court to reform the decree of this Court entered at the present term of this Court to wit on the twenty sixth day of February directing this cause to be remanded to the Supreme Court of the Territory of Nebraska, and to have the same directed to the Supreme Court of the State of Nebraska. On consideration whereof it is now here ordered by this Court, that the decree of this court entered in this cause, on the twenty sixth day of February ultimo, be and the same is hereby reformed nunc pro tunc, that the cause instead of being remanded to the Supreme Court of the Territory, be sent to the Supreme Court of the State of Nebraska, and that the mandate of this Court in this cause be directed to the Supreme Court of

S. Ct. May 15th 1861

Wednesday May 15th 1867 - Continued -

The State of Nebraska.
Pro Mr Chief Justice Chase

The State of Iowa Complainant -	The argument on the Bill and motion for an injunction filed in this cause was continued by Mr Carlisle in opposition to the same and concluded by Mr Taylor in support of the Bill and motion.
12 Original - vs: George W. Woolworth et al.	

The State of Mississippi Complainant.	The argument of the motion for leave to amend the bill filed in this cause was commenced by Mr Hoar in support of the motion continued by Mr Attorney General Stanbery in opposition thereto, and concluded by Mr Hoar in support of the same. —
11 Original - vs: Edwin M. Stanton	

Wednesday May 15th 1867 Continued

Hanson Hanson Appellant vs: The Central Ins Co	On motion of Mr Carlisle of counsel for the Appellant.

Ordered by the court that this cause be and the same is hereby continued to the next term of this court.

The United States Plaintiffs in Error vs: Levy McVicky	Mr Jacque of counsel for the defendant in Error withdrew the motion filed at the last term of this court, to wit: December Term 1865. to dismiss this writ of Error.

The United States Plaintiffs in Error vs: Levy McVicky	In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from

the Circuit Court of the United States for the Southern District of New York, and with the consent of Mr Attorney General Stanbery of counsel for the plaintiffs in Error and of Mr Larocque of counsel for the defendant in Error, it is now here ordered and adjudged by this court, that the judgment and decree of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr Chief Justice Chase.

	The United States Plaintiffs	The cause was submitted to the consideration of the Court, on the record and
197	vs.	
	Louis Meagrandi	

printed argument by Mr Ashton Assistant Attorney General, of counsel for the plaintiffs.

	Thomas Stubbs Executor	Mr Geo. H. Lee
171.	vs. Appellants	of counsel
	Louis Maxwell.	

for the appellees- said the appearance of Edwin Maxwell, Lewis Maxwell, William Maxwell, Marshall Maxwell, Levi Maxwell, Mary S. Maxwell, Charles Maxwell, Lewis M. Maxwell, Mary M. Maxwell, James Maxwell, Robert Maxwell, Franklin Maxwell, Seaman Maxwell, Lewis Maxwell, Felix Maxwell, Hector Maxwell, William F. Maxwell, Franklin P. Maxwell, and Jane the widow of Lewis Maxwell, deceased, the party appellee, now Jane Riley, wife of William Riley, as the widow and heirs of the said Lewis Maxwell, deceased. Whereupon it is ordered by the Court, that they be and hereby are made the parties appellees in this cause.

The declaration being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday, May 16th 1867.

Pursuant to adjournment, the court met this morning at the Capitol.

Present

H. Hon. Salmon P. Chase Chief Justice

James M. Wayne
Samuel Nelson
Nathan Clifford
Noah H. Swayne | Associate
Samuel F. Miller | Justices
David Davis
Stephen J. Field

Richard C. Parsons Esquire, Marshal
Daniel Ridgely Middleton, Clerk

Proclamation being made the court is opened -

On motion first made to the court in this behalf by Mr. James Mc. Carter, it is ordered that John E. Parsons Esquire of New York City, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly. -

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On motion first made to the Court in this Cause by Mr Henry Ashton, it is ordered that J. Bozman Kerr Esqr of the State of Maryland be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wilm. H. De Groot Appellant vs. The United States	Appeal from the Court of Claims.

232.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court, that the decree of the said Court of Claims in this cause be and the same is hereby affirmed.

Js. Mr Justice Miller.

Thursday May 16th 1861 Continued

Peter D. Wm. Wm. Maynard Appellant in Error Geo. D. Iggs and Hezekiah Bradley.	In error to the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered, and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Clifford.

Joseph Stetson, Charles Edward Huff, Lewis Joseph & George K. Bedell Plaintiffs in Error. vs. Robert Chandler Corporation of the State of New York and Thomas N. Cleveland.	In error to the Court of Appeals of the State of New York.

1795.

Thursday May 16th 1861 Cont.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court. that the decree of the said Court of Appeals in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Court of Appeals with directions to enter a decree in conformity to the opinion of this Court.

Per McLean Justice Nelson.

The United States
Appellants
vs.
The Steamship Sir William Peel and Cargo.

Appeal from the District Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the District Court of the United

States, for the Eastern District of Louisiana, and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said District Court in this cause be, and the same is hereby affirmed - And that this cause be, and the same is hereby remanded to the District Court of the United States for the District of Louisiana - -

per Mr Chief Jus. Chase.

The Steamship Sir Wm Tod and Cargo. &c. &c.
Henry Vos. Claimants.
Appellants.
vs:
The United States.

250.

Appeal from the District Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel.

Consideration whereof it is now here ordered, adjudged and decreed by this Court, that the decree of the said District Court in this cause be, and the same is hereby reversed - And that this cause be and the same is hereby remanded to the District Court of the United States for the District of Louisiana with directions that no costs or expenses be charged to either party as against the other.

per M. Chief Jus. Chase.

The United States
Plaintiffs
vs:
Louis Maynard

On a certificate of division between the Judges of the Circuit Court of the United States for the District of Minnesota.

1867

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and

the Judges of the said Circuit Court were opposed in opinion and which was certified to this court for its opinion agreeably to the Act of Congress in such case made and provided and was argued by counsel. On consideration whereof it is the opinion of this court, that the question certified must be answered in the affirmative. Whereupon it is now here ordered, adjudged and decreed by this Court, that it be so certified to the said Circuit Court.

per Mr. Chief Justice Chase.

Ex parte David Maloney Petitioner

17 Original. vs:
William G Harriman
Clerk Sup Court of California

Upon consideration of the petition filed by McPike of counsel for the petitioner in this cause on the 14th inst: for a writ of Mandamus to be directed to William G. Harriman Clerk

of the Supreme Court of the State of California - it is now here ordered by the Court, that the said petition be, and the same is hereby denied.

per Mr Chief Justice Chase

The State of Iowa Complainant 12 Original vs George W. Bibb et al.	This cause came on to be heard on the Bill and motion for injunction filed, and was argued by Counsel - On consideration whereof it is now here ordered by the Court, that an injunction as prayed be and the same is hereby allowed, with leave to defendants to move to dissolve at the next term of this Court. -

per Mr. Chief Jus. Chase -

Ex parte, The United States Petitioners In the matter of the United States 7 Original vs M. A. De Witt	This cause came on to be heard on the peti-

return to rule filed. - and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that a writ of Mandamus issue from this Court, directed to the Judge of the District Court of the United States for the District of California, requiring and commanding him to allow an appeal on behalf of the United States from the decree of the District Court of the United States for the Southern District of California in the case of The United States vs: M. A. R. de Polis. -

per Mr. Chief Justice Chase.

The State of Mississippi
Complainant
vs. Original - vs:
Edwin M. Stanton et al.

Upon consideration of the motion filed by Mr Wallace of counsel for the complainant for leave to amend the Bill filed in this cause and of the arguments of counsel had as well for as against the same, the Court be

equally divided in opinion, it is now here ordered by this Court, that the said motion be, and the same is hereby denied.

By divided Court.

	The State of Mississippi Complainant	
111 Original	vs.	Bill in Equity.
	Edwin M Stanton et al	

This cause came on to be heard on the Bill of Complaint filed, and on the motion of the Attorney General Stanbery to dismiss said Bill for the want of jurisdiction, and was argued by counsel. On consideration whereof it is now here ordered and decreed by this Court that said Bill of Complaint be and the same is hereby dismissed for the want of jurisdiction.

per Mr Chf Justice Chase.

	William H. Hoadley	In error to the
350	vs Plaintiff in Error	Circuit Court of
	[illegible]	the United States

for the Middle District of Tennessee.
This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee and on the motion of Mr Carlisle of Counsel for the defendant in Error, to dismiss this writ of error - And it appearing to the Court, that the citation filed this date is irregular and defective - It is now here ordered and adjudged by this Court, that the orders heretofore entered by this Court in this cause be, and the same are hereby rescinded and annulled - And that this writ of error be and the same is hereby dismissed with costs.

per The Chief Justice Chase.

Ole Stanton Appellant vs: James Stone	Appeal from the Circuit Court of the United States for the District of Massachusetts.

338.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and on the motion of Mr Carlisle on behalf of Counsel stating that the matters in controversy in this cause had been agreed and settled between the parties per stipulation on file. It is now here ordered adjudged and decreed by this Court, that the appeal be, and the same is hereby dismissed, each party paying his own costs in this Court.

Per Mr Chief Justice Chase.

John Wood
Plaintiff in Error
vs
Franklin State Bk.

Ordered by the Court that this cause be, and the same is hereby continued to the next term of this Court.

	The Milwaukee & St Paul Railroad Company Appellants vs: James T. Soutter & Co. And The Milwaukee & St Paul Railroad Company Appellants vs: James T. Soutter &c.	Ordered by the Court that these cases be and the same are hereby continued to the next term of this Court.
52		
212		

--- Order of Court. ---

In relation to Rules &c. in Bankruptcy Cases. - That certain rules and forms of proceeding in Bankruptcy have been framed and adopted by the Court in pursuance of the Act of Congress Approved March 2nd 1867, and the same are now promulgated as such. -

And it is further ordered that the said rules and forms be recorded by the Clerk, and that they be allowed to be printed. -

Proclamation being made the
Court is adjourned to the time
and place appointed by law.

Minutes of the Supreme Court U.S. December Term 1867.

Monday December 2nd 1867

At the Capitol of the United States in the City of Washington, and District of Columbia, being the present seat of the National Government of the United States on the first Monday of December (being the second day of the same month) in the year of our Lord One thousand eight hundred and sixty seven, and of the Independence of the United States the ninety second the Supreme Court of the United States met agreeably to law.

Present

The Honorable Salmon P. Chase Chief Justice.
Samuel Nelson
Nathan Clifford
Noah H. Swayne Associate
Samuel F. Miller " Justices
David Davis

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Monday December 2nd 1867 Continued.

Proclamation being made the Court is opened. -

Mr Chief-Justice announced to the Bar that the Court would commence the call of the docket tomorrow under the 96th Rule. -

Proclamation being made the Court is adjourned until tomorrow morning at Eleven Oclock. -

Tuesday December 3rd 1867.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
} Associate Justices

Richard C. Parsons Esquire, Marshal

David Henry Middleton, Clerk.

Proclamation being made the Court is opened.

On the opening of the Court this morning, Mr Stanbery, Attorney General of the United States made the following remarks.-

May it please the Court:

My brethren of the bar and the officers of the Court, have charged me with the duty of presenting to your honors the resolutions which they have heard, expressive of their

respect for the memory of the late Mr Justice Wayne

The official position which I happen to occupy led to my selection as their organ of communication with the Court, but aside from that, I feel that I have a right to speak of the learned judge in another and a closer, and more intimate and enduring relation than that of temporary official position. I happen to be one of the few members of this bar who during all his judicial career have witnessed from year to year the manner in which he bore himself in his high office. That personal experience has extended through nearly one third of a century. During that long tract of time Mr Justice Wayne sat upon this bench adorning it from first to last with all the qualities which befit the place.

I well recollect the time when

he first took his seat upon this bench. He was then just entering upon the middle time of life, and was at the date of his appointment, a member of the House of Representatives, distinguished as one of the most gifted and effective debaters of that body. A brilliant political career was before him, which he relinquished for the graver and more arduous duties of the bench. The transition was sudden, but complete. No man has manifested more clearly the possession of the qualities which should belong to a member of this Court. The courage to administer the law without favor, without political bias, and, above all, a devotion to the Constitution which under difficulties such as few of us have encountered enabled him to rise superior to all personal and political considerations, and to remain faithful to the great trust that had been confided to

when the ties of many years are just broken, when for the first time we miss him in his accustomed chair, the virtues of the man are uppermost in our thoughts. We recall his dignified presence, his cordial manner, and that unfailing courtesy for which he was remarkable, a quality in a judge which none can appreciate so fully as the lawyer who practices before him.

I will detain your honors no longer, and proceed to read the Resolutions adopted this morning by the members of the bar and the officers of the Court.

Resolutions

The members of the Bar, and Officers of the Court have assembled unite in the sincere expression of their respect for the memory of the late Mr Justice Wayne and their sorrow that they shall see him as more in the place

which for nearly a third of a century he filled with uniform dignity and usefulness, and with unblemished honor.

Called to the Bench, on the nomination of President Jackson, in the year 1835, in the very noon of life, each succeeding year of his long service only made him more and more sensitively alive to the high duties of the judicial office, and if possible, more resolute and constant in devoting to their fulfilment, all his capacities, acquirements and energies.

To the debt which the whole country owes for his long and faithful judicial life, the Bar must add the acknowledgment of its own peculiar and grateful obligation for the habitual courtesy and unaffected kindness which distinguished his deportment as a judge, and which everywhere marked him as a true and accomplished gentleman.

Resolved,

That this public expression of the high esteem, and affectionate regard in which we held the late Mr Justice Wayne, and of our sincere sorrow at his death, be laid before the Court, & that Mr Attorney General be requested to move that it be ordered to be recorded upon the Minutes of the Term.

Resolved further: That the Chairman communicate a copy of these proceedings, and of such order as the Court may take thereon, to the family of the deceased, with the assurance of our sympathy and respect.

Signed, C. H. Browning
President

D. H. Middleton
Secretary

To which the Chief Justice made the following reply.

We all feel most sensibly the loss of our brother Wayne. The Premises

and Resolutions which have been adopted by the Bar fully express their sentiments of honor, veneration, affection and sorrow; and express also, not less fully, our own.
We will direct that the proceedings of the Bar, and the observations just made by the Attorney General, in all of which we fully concur, be entered upon the records of the Court.

Mention has been made of the fact that our departed brother was nominated to the Bench by President Jackson. It was the remarkable fortune of that illustrious President to fill a majority of these seats by appointments to vacancies which occurred during his Presidency. Of the Judges appointed by him our brother was the last survivor.

He had previously acquired an honorable distinction as a member of the State Judiciary of Georgia, and he well maintained

his honors here. With what learning, with what ability, with what courtesy, with what integrity, he performed his various and responsible duties during his protracted service, those who knew him best and longest, whether Associates on the Bench, or counsel at the Bar, testify most fully and most cordially.

Our lamented brother was not only a learned and conscientious Judge, but a most sincere and fervent patriot. It was with no common devotion that he loved his country and that Union which made his country great and honorable among the Nations.

Nor were his titles to love and reverence less complete in his private than in his public relations. In sympathetic kindness in the lowly in the delicate observance of all the proprieties of social intercourse, and in that

nice sense of right which permits no deviation from the straight line of rectitude, he was never wanting. More than all he was a Christian. He acknowledged the incomparable worth of Christian faith, and felt in his own experience the efficacy of its consolations.

My personal acquaintance with him was comparatively recent: but it was sufficient to inspire sincere attachment and heartfelt respect. I can never cease gratefully to remember and acknowledge the kindness with which he welcomed me to this place, or the wisdom of his counsel, or the steadiness of his support.

He has gone from among us full of years and full of honors. Let us tenderly cherish his memory and constantly follow his example.

The Chief Justice then directed that the proceedings of the Bar and of the Court should be

called upon the minutes, and announced that no ordinary business would be transacted this day.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven O'clock.

Wednesday December 4th 1867

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr Kennedy Johnson it is ordered that Roscoe Conkling Esquire of Utica State of New York. U. M. Rose and J. H. Marvin Esquires of Little Rock State of Arkansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Stanbery, it is ordered that David S. Gooding Esquire, of Greenfield State of Indiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William M. McCord Var Plaintiffs in Er.
vs.
Albert F. Bunney et al

13

On motion of Mr. Adams of counsel for the defendants in Error. It is now here ordered by the Court that the appearance of Thomas Bunney, widow, Hattie Bunney, Harriet Crittenden and Lucy Bunney, and Robert Crittenden, heirs at law and distributees of Albert F. Bunney deceased, be and the same are hereby entered as parties defendant in error in this cause.

1	Maria Josefa Canuzos Plaintiff in Error vs. Manuel Treviño and Eben Cobb.	In motion of Mr Sherwood of counsel for the defendants in Error.

It is now ordered by the court that the appearance of Manuel Treviño administrator of Eben Cobb deceased be and the same is hereby entered as one of the parties defendant in Error in this cause.

6.	Milton Lunn Plff. in Error. vs. Williams Robertson use of A.C. Ferguson	Mr Hale of counsel for the defendant in error in this cause now here suggests the death of William Robertson the defendant in error in this cause and moves the court for leave to enter the appearance of James O'Cavanaugh, administrator of said Robertson deceased

as the defendant in error in this cause. On consideration whereof, it is now here ordered by the court that the appearance of James O Cavanaugh administrator as aforesaid be entered as the defendant in error, and that the said administrator be, and he is hereby made the defendant in error, in this cause.

Jasper Strong Plaintiff in Error. 3. vs. The United States	Ordered by the Court on the motion of Mr Attorney General Stanbery (on account of illness of Mr Stanton of counsel for the plaintiff in error) that this cause be set for argument immediately after No 26, when that cause is reached in the regular call of the docket.

Maria Josefa Carazos 1 vs. Plaintiff in Error Manuel Tovino et al	The argument of this case was com

menced by Mr Hale of counsel for the plaintiff in Error, continued by Mr. Sherwood of counsel for the defendants in error and concluded by Mr. Robinson of counsel for the plaintiff in error.

Thomas Peace Plaintiff in error vs. Randall G. Higgins	2.	In error to the Circuit court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern Dist. of Arkansas and it appearing to the Court here that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same - it is considered by the Court that this cause should be dismissed at the costs

of the plaintiff in error, pursuant to the 19th rule of this Court - Whereupon it is now here ordered and adjudged by this Court, that this writ of error be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice -

per the Chief Justice Chase

The Southern Steamship Company of New Orleans
Plaintiffs in Error
vs
The Master &c of the Port of New Orleans

This cause was submitted to the consideration

4

of the Court on the record printed arguments by Mr Solomon of counsel for the plaintiff in error and by Mr Durant of counsel for the defendant in error.

Joseph I Steinandral
Appellants
5 vs.
Harvey Baldwin's legal
Representatives.

This cause was submitted to the consideration of the Court on the record and printed arguments of Mr Adams and Mr Coombs of counsel for the plaintiffs in error and by Mr Sherwood of counsel for the defendants in error.

Milton Sum
Plaintiff in Error
6 vs.
William Robertson's Admr
use of H. Ferguson.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Adams and Mr Leech of counsel for the plaintiff in error and was argued by Mr Robinson of counsel for the defendant in error.

7	John L. Croom Plaintiff in Error vs. Philip C. Tucker Jr. Administrator &c.	This cause was argued by Mr. Robinson of counsel for the

defendant in error and submitted to the Court on the record and printed arguments by Mr Adams, and Mr Leech of counsel for the plaintiff in error.

8.	Anson Bangs & al Appellants vs. The Blue Ridge Rail road Company.	Appeal from the Circuit Court of the United States for the northern District

of Georgia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia, and it appearing to the Court from the stipulation

on file that the matters in controversy have been settled - It is thereupon now here on motion of Mr R. Johnson of counsel for the Appellants, considered ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed each party paying its own costs.

per Mr. Chief Justice Chase.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday December 5th 1867.

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable Salmon P. Chase Chief justice.
Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F. Miller
and David Davis
Associate justices

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Kennedy Johnson it is ordered that George M Chamberlain Esquire of Denver State of Colorado - be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Stanbery, it is ordered that Richard C. Kuhland, Esquire of Hartford, State of Connecticut be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Henry M. Keeler
Plaintiff in Error
vs.
Mary H. M. Ashley's Ex'r et al

The argument of this cause was commenced by Mr Ramsay Johnson of counsel for the plaintiff in error on the question of jurisdiction and by Mr J. M. Bradley Jr. on the merits continued by Mr Martin and Mr Kerr of counsel for the defendants in error and by Mr Bradley for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday December 6th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Ashley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Kinney Johnson it is ordered that Daniel Morris Esquire of Penn Yan. State of New York. be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the

Court in this behalf by Mr. A. L. Brouner it is ordered that William B. Hedgwick Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State of Iowa Complainant vs. Original - George W. Wiltse &c	Mr. Carlisle filed motion to dissolve the the injunction in this cause, also to dismiss the bill as to Hardenberg.

The Milwaukie and St Paul R. R. Co. Appt. 113 vs. James T. Soulle &c. and The Milwaukie and St Paul R. R. Co 62. vs. Appellant James T. Soulle &c.	Mr Carlisle of counsel for the appellant filed motion for leave to reargue these cases.

James T. Soutter et al Appellants 218 vs. The Milwaukee and Minnesota R.R. Co. and The Milwaukee and Minnesota R. R. Co. Appellants 219 vs. The Milwaukee and St Paul R.R. Company.	Mr Carlisle of counsel filed motion that these cases be argued with Nos 43 and 62 if those cases are ordered for re argument.
The United States Appellants 272 vs. Theodore Adams	Mr Wills filed motion to dismiss this appeal.
The Washington and Georgetown R.R. Co. Pff: in Error. 182 vs. Frederick Stein	Mr Mallingly of counsel for the Defendant in error, filed motion to dismiss this cause.

Simon Mussina
Plaintiff in error
10 vs.
Maria Josefa Canaza Val

The argument of the motion to dismiss

This cause was commenced by Mr. Robinson in support of the same, continued by Mr Sherwood and Mr Edmonds in opposition thereto and concluded by Mr Robinson in favor of the motion.

The Farmers Mutual Insurance Co. of Penn.
Plaintiff in error
973 vs.
Thomas Nichols

Mr Dick of counsel for the plaintiff in error having filed and read in open court a suggestion of a diminution of the record in this case in the following words to wit:

"That the Clerk of the Circuit Court has omitted to insert in the record the bill of exceptions which

By reason of which omission and error aforesaid the said Counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the Eastern District of Pennsylvania commanding them that searching the records and proceedings of said Court in this cause they should certify to this Court under the seal of said Circuit Court whatever omissions and errors shall be found - On consideration whereof it is now here ordered and decreed by this Court that a writ of Certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court commanding them that searching the records and proceedings aforesaid they

under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause and return the same with the said writ of Certiorari forthwith to this Court.

per Mr. Chief Justice Chase.

Henry M. Rector
Plaintiff in error
vs.
Mary W. W. Ashley &c.
Defendants in error.

The argument of this cause was concluded by Mr Bradley of Counsel for the plff.

Walter G. Robinson
Plaintiff in Error.
vs.
Lewis Aldridge

In error to the District Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Missis-

ppe and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute this writ of error and failing to appear, - it is thereupon on the motion of Mr Ashton of counsel for the defendant in error, now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

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12 Jacob Thompson &al Plaintiff in Error vs. Drury W. Bowman

The argument of this cause was commenced by Mr. Ashton of counsel for the plaintiff in error continued by Mr Johnson of counsel for the defendant in error, and concluded by Mr Carlisle for the plaintiff in error.

William M. Cook et al Plaintiff in Error 13 vs. A. J. Sundays Legal Rep'ts &c.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Merriman of counsel for the plaintiffs in error, and by Mr Adams and Mr Ballinger of counsel for the defendant in error, with leave to the plaintiff in error to file additional brief within five days.

Emanuel Myers Plaintiff in error 14 vs. The Commonwealth of Pennsylvania.	In error to the Court of Quarter Sessions of Cumberland County State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Court of Quarter Sessions of Cumberland County, State of Pennsylvania and it appearing to the Court that all

this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the plaintiff in error, pursuant to the 19th Rule of this Court - Whereupon it is now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Court of Quarter Sessions to be proceeded in according to law - per Mr. Chf. Justice Chase

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15 — Samuel Nelson Plff in Error vs. Thomas Hall & Wife

This cause was argued by Mr. Phillips of counsel for the plaintiff in error - No counsel appearing for the defendants.

Proclamation being made the Court is ad-

Monday December 9th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis
Stephen J. Field

Richard C. Lawson Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm Kenaday Johnson, it is ordered that J. Poppleton Esquire of Omaha State of Nebraska and Stephen C. Wolfe Esq of Great Salt Lake City Utah Territory be admitted to practice as at-

torneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Eldridge, it is ordered that M. L. Palmer Esquire of Milwaukee State of Wisconsin be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Simon Mussina Plaintiff in Error vs. Maria Josefa Carazedral	The Chief Justice announced that the motion

to dismiss this writ of error would be held under advisement until Monday next. And in the event of the motion being denied that the case would be called for argument that day

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287 The United States
Plaintiffs
vs.
Julius F. Hartwell

Mr Attorney General Stanbery files motion and moved the Court that this cause be set for argument on the second monday in January next - On consideration whereof it is now here ordered by the Court that this cause be and the same is hereby set down for argument on the second monday in January next -

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216 Archibald C. Gruff &c
Appellants
vs.
The United States

Mr. R. M. Corwine of counsel filed motion to dismiss this appeal -

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15 Samuel Dickson
Plaintiff in Error
vs.
[illegible]

Mr Phillips of counsel for the plaintiff in error

moved the Court that defendant in error have leave to file printed argument in this cause.

John Johns et al
Appellants
vs.
16 The Union Bank of Florida.

This cause was argued by Mr. Robinson of counsel for the Appellants. No counsel appearing for the appellee.

Nelson Clements et al
Appellants
vs.
17 James Nicholson Trs and
Thomas C Moore
Appellants
vs.
18 Nelson Clements et al

The argument of these cases was commenced by Mr. Robinson of counsel for the complainants, continued by Mr Paschal of counsel for the respondents and concluded by Mr Robinson for the complainants

Joseph Andrews Plaintiff in Error vs. 19 Charles A. Hensler	This cause was submitted to the consideration

of the Court on the record and printed arguments by Mr Soule for the plaintiff in error and by Mr Stansbury of counsel for the defendant in error.

Thomas M. Teague Plaintiff in Error vs. 20 Daniel L. Atchison & al-	The argument of this cause was commenced

by Mr C. Robinson of counsel for the plaintiff in error, continued by Mr G. Adams of counsel for the defendant in error and by Mr Hall for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday December 10th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal
Samuel Wells Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr Caleb Cushing, it is ordered that H. L. Barnes, Esquire of Pittsford, James Schouler Esquire of Boston, State of Massachusetts, and William N. Robertson Esquire, of Buffalo State of New York, be admitted to practice as attorneys

and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr James McCulloch it is ordered that J. C. Smith Esquire of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. C. Howe, it is ordered that S. U. Pinney Esquire of Madison State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr R. M. Corwine it is ordered that Thomas L. Young, Esquire of Cincinnati State of Ohio, be admitted to practice as an at-

Tuesday December 10th 1867 - continued -

torney and counsellor of this Court and he was sworn accordingly.

	Thomas M. Teague Plaintiff in Err. vs. Daniel L. Atkinson Def't	The argument of this cause was concluded by Mr Hall of counsel for the plaintiff in error.
20.		

	Wm H. Gains Executor &c Appellants vs. Jno. Thompson, Secy &c.	On motion of Mr Brent, counsel of Attorney
21		

General (Mr Ashton) - It is ordered by the Court that this cause be and the same is hereby continued to the next term of this Court -

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John Dennistoun
William Hood and
William Crofts, Survivors &c Appellants.
vs.
99. Edgar G. Hood, admr
of James Hagan, deceased &al.

Appeal
from the
Circuit
Court of
the United
States for
the Southern
District of
Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and it appearing to the Court that this is the second term at which this case has been called for argument & that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the Appellants, pursuant to the 19th Rule of this Court. Whereupon it is now here ordered adjudged and decreed by this Court that this cause be and

the same is hereby dismissed with costs and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Justice Chase.

Augustus L. Williamson
Plaintiff in Error
vs
Rice Dulin

23

Error to the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina and it appearing to the Court here that no appearance of counsel has been entered in this cause - it is thereupon, pursuant to the 15th rule of this Court now here

considered ordered and adjudged by this Court that this writ of error be, and the same is hereby dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice. per Mr Chief Justice Chase.

Robert A McIver.
Plaintiff in Error.
vs.
Edward A Bullock
Adm[r] of Thos G McDowell dec[d] &al

In error to the Supreme Court of the State of Alabama.

211

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and it appearing to the Court here that no appearance of Counsel has been entered in this cause, it is thereupon pursuant to the 15th rule of this Court now here considered ordered and adjudged by this Court, that this writ of error be and the same

is hereby dismissed with costs, and that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

- per Mr Chief Justice Chase

Milton J. Sykes and John Sykes. Appellants.
vs.
25 Thomas A. Herd Exr

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Garland of counsel for the appellants.

Alfred Ingraham Survivor of Geo. Read dec'd Plaintiff in Error
vs.
26 Emily M Intyre Tutrix of Mary M. & H. B. M Intyre Curatrix & Minor heirs of Rich'd G. M Intyre dec'd Elias Dicus surv'g Ex'r of Wm Bridges dec'd.

In error to the High Court of errors and appeals of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the High Court of Errors & Appeals of the State of Mississippi, and it appearing to the Court, that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the plaintiff in error, pursuant to the 19th rule of this Court. Whereupon it is now here ordered and adjudged by this Court that this writ of error be, and the same is hereby dismissed with costs. And that this cause be and the same is hereby remanded to the said High Court of Errors and Appeals to be proceeded in according to law and justice.

Per Mr Chief Justice Chase.

Jasper Strong Plaintiff in Error vs. The United States	The argument of this cause was commenced by

3

Mr Nathaniel Wilson of counsel for the plaintiff in error; continued by Mr Ashton of counsel for the defendant in error and concluded by Mr Wilson for the plaintiff in error.

The Puget Sound Agricultural Company Plaintiff in Error vs. The County of Pierce.	This cause was submitted to the consideration of the Court on the record the printed argument by Mr Sanders and Mr Carlisle of counsel for the plaintiff in error.

27

G. P. Grim et al Appellants vs. The Mobile & Ohio R.R. Co.	It appearing to the Court that a writ of

28

Certiorari issued in this cause at the last term and not yet returned - it is now here ordered by the Court that this case be continued - with leave to counsel to submit under the 21. rule.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday December 11th 1867

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field

Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr Thomas Ewing, Senior, it is ordered that Henry Hitchcock Esquire of Saint Louis State of Missouri and Francis Govan Esquire of Washington City, District of Columbia be admitted to practice as attorneys and counsellors of this

Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Caleb Cushing it is ordered that Henry E. Ives Esquire of Rochester State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

39	Abel Stearns Claimant Appellant vs. The United States	On motion of Mr Attorney General Stanbery

of counsel for the appellees with the consent of Mr Cushing of Counsel for the appellant – It is now here ordered by the Court that this cause be and the same is hereby set down for argument on the second monday (10th) of February next.

51.	Abby R Ewing et al Appellants vs. Levi H Mash et al	On motion of Mr Cushing of counsel for the Appellants

stating that his associate counsel, Mr Curtis was sick and unable to be in attendance - It is now here ordered by the Court that this cause be postponed when reached in the regular call of the docket until such time as may be agreed upon by the respective counsel in the case.

29	James E Mumford Plaintiff in Error vs. Otis Hardwell.	This cause was argued by Mr Scott of counsel for the defendant

in error and submitted on printed argument by Mr Ewing Jr. of counsel for the plaintiff in error.

Benjamin F. Irvine Plaintiff in Error vs. 30. John R. Irvine	In error to the Circuit Court of the

United States for the District of Minnesota

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the Plaintiff in error pursuant to the 16th rule of this Court - Whereupon it is now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed with costs - And that

this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Chase.

Israel G Lash
Appellant
vs.
32. Lyman Dayton et al

Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the plaintiff, pursuant to the 19th rule of this Court.

Whereupon it is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs – And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Justice Chase.

The Schooner "Flying Scud" Appellants
vs.
The United States.

This cause was argued by Mr. Ashton of counsel for the appellees and submitted on the record and printed argument by Mr Donohue of counsel for the appellants.

The Society for Savings Plaintiff in Error
vs.
Gaines H. Coit, Treasurer

This cause was submitted to the con-

of the Court on the record and heard arguments by Mr Chamberlain of counsel for the plaintiffs in error and by Mr Hubbard of counsel for the defendant in error.

The Gould & Curry Silver Mining Company Plaintiff in Error vs. The People of the United States, on the Territory of Nevada.	In error to the Supreme Court of the Territory of Nevada.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Nevada, and on the motion of Mr Carlisle of counsel for the plaintiff in error, stating that the matters in controversy in this cause had been agreed & settled between the parties, per written stipulation on file - It is now here ordered and adjudged by

this Court that this writ of error be and the same is hereby dismissed with costs - And that this cause be and the same is hereby remanded to the Supreme Court of the State of Nevada.

Per Mr Chief Justice Chase.

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37. William S. Long, Plaintiff in Error vs. E. C. Kemble | In error to the Circuit Court of the United States for the Northern District of California,

and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute this writ of error and failing to appear - it is thereupon on the motion of Mr Carlisa of counsel for the defendant in error, now here ordered and adjudged by this Court, that this writ of error be and the same is hereby dismissed with costs, and that this cause be and the same

is hereby remanded to the Circuit Court of the United States for the District of California.

Per Mr Chief Justice Chase.

Charles Eddy Jal Appellants vs. 38 John N. Billings & al	Ordered by the Court that this cause be and the same is hereby postponed for the present.

The Mayor and City Council of Baltimore, Appellant. vs. The Balt & Ohio Railroad Company.	Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was in part argued by counsel and it appearing to the Court

here that this cause has been improperly brought here by appeal instead of writ of error - Whereupon it is now here considered and ordered by this Court that this appeal be and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Chase.

Proclamation being made the Court is adjourned until Friday morning at eleven o'clock.

Friday December 13th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons, Esquire, Marshal
Daniel Hesry Michaelson, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. F. A. Beck, it is ordered that George M. Woodward Esquire of Wilkesbarre, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court who he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Stanbery it is ordered that Robert Sewell Esquire of New-York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by M. James M. Carlisle, it is ordered that Joseph H. Steiner Esquire of New-York City, and D. P. Stubbs Esquire of Fairfield State of Iowa be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr George K. Woodward, it is ordered that S. T. Lucas Esquire of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Caleb Cushing, it is ordered that C. K. McKee Esquire, of Memphis State of Tennessee be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Moore. it is ordered that H. H. Roberts Esquire, of Carlisle State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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50 Charles Fitz Aylesford vs. The Yacht "Amelie"

On motion of Mr Cushing in behalf of Mr. Curtis of counsel in this case - It is now here ordered by the Court that the argument of this cause be fixed -

found when the cause is reached in the regular call of the docket, and that it be heard at such time as may be agreed upon by the respective counsel.

The Mayor &c of Washington City. Plaintiff in Error vs Wm S Dennison	Mr Carlisle files a motion for allowance of a writ of Supersedeas in this case.

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James C. Mumford Plaintiff in Error. vs. C. C. & H. Hardwell	Mr Ewing moved the Court for leave to file addi- tional brief in this cause.

29

Jno H. Hicker Plaintiff in Error vs. Eli Hayes et al.	This cause was submit- ted to the consideration of the Court on the record & printed arguments

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by Mr. C. H. Reed of counsel for the plaintiff in error, and by Mr. S. H. Treat of counsel for the defendant in Error, under the 20 Rule.

The Aetna Insurance Co. Plaintiff in Error
vs.
375 Charles C. Howe, Henry Sanderson, as administrators of Henry K. White, deceased.

Mr Hughes of counsel for the defendants in error having filed and read in open Court the following certificate, to wit:-

"United States of America
Northern District of Illinois.
In Circuit Court of the United States
for said Northern District.

Charles C. Howe & Henry Sanderson as administrators of all & singular the goods & chattels, rights & credits which were of Henry K. White, (dec'd)
vs.
The Aetna Insurance Co.

King and Scott, Pltffs. Atty's

assumpsit

Northern District of Illinois S.S.

I William H. Bradley, Clerk of the Circuit Court of the United States for the Northern District of Illinois do hereby certify that a judgment was rendered in said Court in said above entitled cause on the first day of March in the year of Our Lord One thousand eight hundred and sixty seven in favor of the said Plaintiffs and against the said Aetna Insurance Company, Defendant for the sum of Twenty seven hundred and sixty seven dollars damages and the sum of One hundred and seven dollars and eighty five cents costs, and that the said Defendant, The Aetna Insurance Company by its Attorney duly sued out of said Court a writ of error to remove the said cause to the Supreme Court of the United States and filed its supersedeas bond therein which was approved by the Court as the origi-

in my office.

Rev. Stamp 5 Cents Seal. Seal.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at my office in Chicago in said Northern District this 5th day of December A.D. 1867.

William H. Bradley, Clk.

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of error. Now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the Northern District of Illinois, be and the same is hereby docketed and dismissed with costs, - And that

this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Per Mr Chf. Justice Chase.

Archibald D. Griffis James E. Yeats &c. Appellants vs. 246. The United States	The motion to dismiss the appeal in this cause was submitted on printed argument by Mr Comins in favor of the motion, with leave to Mr. Durant to reply on Friday next.

The United States Appellants vs. 272 Theodore Adams	The argument of the motion to dismiss this case was commenced by Mr Wells of counsel for the appellee in support of the same continued by Mr Nolan of

counsel for the appellants in opposition thereto and concluded by Mr Carlisle in favor of the motion.

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315 The Baltimore & Ohio Railroad Company. Plaintiff in Error vs. John O. Harris | Mr Fuller of counsel for the defendant in error in this cause now here suggests the death of John O. Harris the defendant in error in this cause and filed letters of administration to Ellen J. Harris, and motion for leave to enter the appearance of the said Ellen J. Harris, administratrix as the defendant in Error in this cause - Whereupon it is now here ordered by the Court that the appearance of Ellen J. Harris the admr of John O. Harris, decd be entered as the deft in err. in this cause with leave to resist this writ of error.

Proclamation being made, the Court is adjourn-

Monday December 16th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Tenney Middleton Clerk.

Proclamation being made the Court is opened.

Upon motion first made to the Court in this behalf by Mr James R. Doolittle, it is ordered that Harry Orr Esquire of Quincy State of Illinois, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James Grant, it is ordered that H. M. Wead Esquire, of Peoria State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips, it is ordered that William F. Gibson Esquire, of Montgomery State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Schley, it is ordered that George H. Williams Esquire of Baltimore State of Maryland be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H Lee, it is ordered that Caleb Scggess Esquire of Clarksburg State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Jacob Thompson. William G. Ford and John M Powell. Plaintiffs in Error. vs. Drury K. Bowman	In error to the District Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court, that the judgment of the said District Court, in this cause, be and the same is hereby reversed

with costs, and that this cause be, and the same is hereby remanded to the said District Court with directions to award a venire facias de novo.

per Mr Justice Field

Joseph L. Sherman
Thomas F. McKinney.
John H. Illes and
Malvina, his wife &c.
Appellants.
vs.
Henry Baldwin's legal Reps.

Appeal from the District Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court, that the decree of the said District Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Davis.

Henry M. Rector
Plaintiff in Error.
vs.
Thomas B. Veach admr of Mary H. H. Ashley, decd Executrix of Chester Ashley decd Roswell Beebe and Noah W. Badgett.

In error to the Supreme Court of the State of Arkansas.

9

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Miller

John Wood.
Plaintiff in Error.
vs.
Franklin Steele, impleaded with Thomas M. Newson.

In error to the Circuit Court of the United States for the District

31.

of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and was argued by counsel - On consideration whereof - It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs. per Mr. justice Swayne.

Samuel Wilson Plaintiff in Error	In error to the Supreme Court
15. vs.	of the State
Thomas Hall & Wife et al	of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and was argued by counsel. On consideration whereof - It is now here ordered, adjudged and decreed by this Court, that the

decree of the said Supreme Court, in this cause be, and the same is hereby reversed with costs: And that this cause be, & the same is hereby remanded to the said Supreme Court with directions to enter a decree in conformity to the opinion of this Court.

per Mr. Justice Grier-

John Johns, and Martha Johns his wife, formerly Martha Anne Maney. Appellants

vs.

The Union Bank of Florida - Richard K. Call et al.

Appeal from the District Court of the United States for the Northern District of Florida -

16

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, the Court being equally divided, it is now

here ordered adjudged & decreed by this Court, that the decree of the said District Court, in this cause, be, and the same is hereby affirmed with costs.

John L. Croom,
Plaintiff in Error
vs.
Henry Sheldon

v.

In error to the District Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States, for the Eastern District of Texas, and was argued by counsel - On consideration whereof, the Court being equally divided, - It is now here ordered, and adjudged by this Court, that the judgment of the said District Court, in this cause be, and the same is hereby affirmed with costs and interest at the same

Rate per annum that similar judgments bear in the Courts of the State of Texas

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Senior Mexican
Plaintiff in Error
vs.
Maria Josefa Carazos &al.

On consideration of the motion of Mr Robinson

10

of counsel for the defendant in error to dismiss this writ of error, and of the arguments of counsel as well for as against the said motion. It is now here ordered by the Court that said motion be and the same is hereby denied. And that this cause be and the same is hereby set down for argument on the merits on monday next the 23rd instant.

The Chief Justice announced to the Bar, that the Court would adjourn over Christmas day, and also on Tuesday 31st December to Monday 6th of January.

Monday December 16th 1867 - Continued -

Marshall C. Roberts Plaintiff in Error vs. 49. Henry M Graham	Wm Cal. Less of counsel for the defendant in error in this cause now here suggests the death of Henry M Graham, the defendant in error and files copy of will and letters of Administration to Milton R. Graham and moves for leave to enter the appearance of the said Milton R. Graham Executor as aforesaid, as the defendant in error in this cause - Whereupon it is now here ordered by the Court that the appearance of Milton R Graham, the Executor of Henry M Graham deceased, be entered as the defendant in error in this cause with leave to resist this writ of error.

377. Barcelea Bernal
Appellant
vs.
The United States

Mr Attorney General Stanbery of counsel for the appellees having filed and read in open Court the following certificate to wit:

"In the District Court of the United States.
In and for the District of California.

The United States
vs.
Barcelea Bernal
} Case No. 779.
California Land Commission

I George C. Whiting. Clerk of the Circuit Court of the United States for the District of California and ex officio Clerk of District Court of the United States for the same District do hereby certify, that on the 26th day of November A.D. 1866. an appeal was duly sued out and allowed to the said Barcelea Bernal, claimant in the above entitled case from the decree rejecting said claim rendered on the 25th day of Novem-

ber 1867.

In witness whereof I have hereunto set my hand, and the seal of said District Court at San Francisco this 16th day of December, A.D. 1867.

Seal

George E. Whitney.
Clerk

and having stated that the appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal. Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof - it is now here ordered adjudged, and decreed by this Court that this appeal from the District Court of the United States for the District of California be and the same is hereby docketed & dismissed.

And that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

Marcus C. Riggs
Plaintiff in Error
42 vs.
County of Johnson
and
United States ex rel
J. Edgar Thomson
Plaintiff in Error
94 vs.
Henry County.

The argument of these cases was commenced by Mr Fellows of Counsel for the Plaintiffs in Error and continued by Mr String of Counsel for the defendants in Error.

William Slater Executor
Appellant
111 vs.
Lewis Maxwell

On motion of Counsel ordered by the Court that this cause be set for argument on 6th of January.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday December 17th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field.

} Associate Justices

Richard C. Parsons Esquire. Marshal.
Lemuel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James T. Brady, it is ordered that William A. Ryan Esquire of New York City, State of New York, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

Tuesday December 17th 1867 continued.

Marcus L. Riggs Plaintiff in Error. 42 vs. County of Schuyler and United States ex rel J Edgar Thompson Plaintiff in Error 94 vs. Henry County.	The argument of this cause was continued by Mr C. H. Browning of counsel for the defendants in Error.

and concluded by Mr Grant of counsel for the plaintiffs in Error.

Harrison Thomas Appellant 44 vs. The Central Ohio R. R. Co. et al.	This cause was argued by Mr McPherson and Mr Carlisle of counsel for the appellants and submitted on printed arguments by Mr Hunter of counsel for the appellee.

Mr Justice Swayne being a stockholder in the R. R Co. did not sit in the case. —

Proclamation being made the
Court is adjourned until tomor-
row morning at Eleven oclock.

Wednesday December 15th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson	Associate Justices
Robert C. Grier	
Nathan Clifford	
Noah H. Swayne	
Samuel F. Miller	
David Davis and	
Stephen J. Field	

Richard C. Parsons Esquire Marshal
Samuel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

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The United States
Plaintiffs in Error
vs.
Van Hauck, Van Antwerp & al

Mr Strong of counsel filed motion to dismiss this cause.

Wednesday December 15th 1869 - Continued.

Mary Barney
Appellant
vs.
45 The Mayor & City
Council of Baltimore

The argument of this cause was commenced by Mr Williams of counsel for the appellant, continued by Mr Schley and Mr Norris of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday December 19th 1867.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson	
Robert C. Grier	
Nathan Clifford	Associate
Noah H. Swayne	Justices.
Samuel F. Miller	
David Davis	
Stephen J. Field	

Richard C. Parsons Esquire, Marshal
Daniel Hesry Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. F. Miller, it is ordered that J. P. Sullivan Esquire of New Orleans, State of Louisiana and John Trimble Esquire of Nashville, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Thursday, December 19th 1867.

On motion first made to the Court in this behalf by Mr Lorenzo Sherwood, it is ordered that L. A. Knight Esquire of Simmington, State of Vermont be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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52 The Union Insurance Co. vs. Appellant
The United States

Holmes Foundry &c
72 vs. Appellants
The United States.

Armstrongs Foundry
74 vs. Appellant
The United States

And

St. Louis St Foundry
Appellant
76 vs.
The United States.

appeals.

Mr Attorney General Stanbery (by Mr Ashton,) of counsel for the United States, filed motion to dismiss these

Thursday December 19th 1867. continued -

The Society for Savings Plaintiff in Error. vs. 34 Gabriel H. Coit, Treasurer of the State of Connecticut	Mr Hubbard of counsel for the defendant in error

in behalf of Mr Chamberlain of counsel for the plaintiff in error moved the Court for leave to the plaintiff in Error to file a reply brief in this cause. On consideration whereof, and of the important questions involved, it is now here ordered by the Court, that the submission of this cause be, and the same is hereby stricken out, and that an oral argument be made, at the bar, at such time as may agreed, by counsel.

Mary Barney Appellant 45 vs. The Mayor and City Council of Balt[o].	The argument of this cause was continued by Mr Norris of counsel

The Galena, Dubuque, Dunleith & Minn Packet Co. Appellants

47 vs.

So much of the Rock Island Railroad Bridge &c. - The Rock Island Railroad Company & al.

This cause was argued by Mr. B. C. Cook of counsel for the appellees, and submitted on the record and printed arguments by Mr Arrington and Mr Rae of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday December 20th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis
Stephen J. Field

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Caleb Cushing it is ordered that A. Webster Shaffer Esquire, of Catskill, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Williams, it is ordered that Rufus Mallory Esquire, of Salem, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Emile Grisar,
Plaintiff in Error,
vs.
184 Irwin McDowell.

On motion of Mr. Attorney General Stanbery, Ordered by the Court that this cause be and the same is hereby set down for argument on the 3rd Monday in February next.

The United States
Plaintiffs in Error
vs.
248. Verplanck Van Antwerp
Reinhart Henn & Charles
Parsons & al.

In error to the Circuit Court of the United States for the District of

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and on the motion of Mr Strong of counsel for the defendants in error to dismiss this cause, and it appearing to the Court that no writ of error has been sued out in this case. It is now here ordered & adjudged by this Court, that this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Justice Chase.

Archibald D. Greeff & al. Appellants
vs.
The United States.

246.

The motion to dismiss this cause was argued by Mr Durant of counsel for the appellants in opposition to the motion - On consideration whereof, it is now here ordered by the Court that the said

motion be and the same is hereby denied -

Lewis Roberts A. T. Roberts and Gideon W. Burbank Partners &c. as A. L. Roberts & Co. Appellants vs. George H. Hillon and Honora Hillon his wife.	Appeal from the Circuit Court of the United States for the Southern District of Ohio.

200

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and the stipulation on file, and on the motion of Mr Carlisle in behalf of counsel for the plaintiff in error stating that the matters in controversy in this cause had been agreed and settled between the parties - It is now here ordered, adjudged and decreed by this Court, that this appeal be and the same is hereby

Marion Hendson
Plaintiff in Error
vs.
267. The State of Missouri
&c &c The Attorney General

The motion to dismiss this writ of error for the want of jurisdiction was argued by Mr Drake of counsel for the defendant in error, in support of the same. No counsel appearing for the plaintiff in error. Whereupon on this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

William H. Crandall,
Plaintiff in Error
vs.
85 The State of Nevada.

The motion to dismiss this writ of error for the want of jurisdiction was argued by Mr Phillips of counsel for the defendant in error, in support of the same. No counsel appear-

ing for the plaintiff in error. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Washington and Georgetown Railroad Co. Plaintiffs in Error. vs. Frederick Stein	In error to the Supreme Court of the District of Columbia.

182.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on the motion of Mr Mattingley of counsel for the defendant in error to dismiss this writ of error, and it appearing to the Court that no Bill of Exception has been filed in this case. It is now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed with costs.

46.	Richard Mason Plaintiff vs. Anson Eldred & al	This cause was argued by Mr Cary of counsel for the defendants, and submitted on printed argument by Mr Larkin of counsel for the plaintiff.

48.	The United States. exrel. John Weber. Plaintiff in Err. vs. County of Lee	This cause was argued by Mr Dick of counsel for the plaintiff in error. and by Mr Ewing of counsel for the defendants in Error.

49	Marshall O. Roberts vs. Plff. in Error. Henry M. Graham & Co.	The argument of this cause was commenced by Mr Brady of counsel for the plaintiff in Error. continued by Mr M'Pherson & Mr Carlisle of counsel for the defendants in error. Remarks by Mr Brady for the deft. in error.

Proclamation being made, the Court is adjourned until

Monday December 23rd 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase. Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons. Esquire. Marshal.
Daniel Wesley Middleton. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James M. Carlisle it is ordered that Thomas J. Cretten-den Esquire of Madison State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

19

Joseph Andrews
Plaintiff in Error.
vs.
Charles A. Heusler

In error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum, that similar judgments bear in the Courts of the State of Louisiana. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the

District of Louisiana.
per Mr Justice Field

Milton Sime
Plaintiff in Error
vs.
William Roberson use
of Alexander E. Ferguson.

In error to the District Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof - It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause be, and the same is hereby affirmed with costs and interest at the same rate per annum, that similar judgments bear in the Courts of the State of Texas.

per Mr Justice Davis.

	The Puget Sound Agricultural Company Plaintiff in Error vs. The County of Pierce	In error to the Supreme Court of Washington Territory.
27.		

This cause came on to be heard on the transcript of the record from the Supreme Court of Washington Territory, and was argued by counsel - On consideration whereof it appearing to the Court that the writ of error in this cause is defective, it being made returnable to the second monday of the term instead of the first - It is therefore considered ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed with costs.

Mr Justice Miller.

	Simon Mussina Plaintiff in Error vs.	Mr Justice Miller delivered the opinion
10	Maria Josefa Canizares &al.	

of the Court overruling the motion to dismiss this writ of error.

Jasper Strong
Plaintiff in Error
vs.
The United States

In error to the District Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Florida and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said District Court in this cause be and the same is hereby affirmed. -

per Mr Justice Clifford

	William Cook, Charles Etter, Daniel Evans, Geo. R. Sheppard, Joseph H. Babridge, Charles A. Harper and David F. Sparks. Plaintiff in Error vs.	In error to the District Court of the United States for the Eastern Dist of Texas.
13	Albert G. Bunney and Royal A. Porter	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court, that the judgment of the said District Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Nelson.

85	William N. Crandall, vs Plaintiff in Err. The State of Nevada	On consideration of the motion

of Mr Phillips to dismiss this writ of error, and of the argument in support of the same. It is now here ordered by the Court that the said motion be and the same is hereby overruled.

Simon Moreno
Plaintiff in Error
vs.
10 Maria Josefa Carazoso[illegible]

The argument of this cause was commenced by Mr Edmonds of counsel for the plaintiff in error and continued by Mr Hale of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday December 31st 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson	
Robert C. Grier	
Nathan Clifford	Associate
Noah H. Swayne	Justices
Samuel F. Miller	
David Davis	
Stephen J. Field	

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

The Chief Justice announced to the Bar, that the Court would not proceed in the call of the docket beyond No 60 before the adjournment on the 31st instant, to Monday, 6th January.

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10 Simon Missina
Plaintiff in Error
vs.
Maria Josefa Canizos &al.

The argument of this cause was continued by Mr. C. Robinson of counsel for the defendant in error and concluded by Mr. Sherwood of counsel for the plaintiff in error.

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113 The Milwaukee & St Paul R.R. Co. Plff. in Error vs. James T. Soulter &c.
55 Frederick P. James et al " " Mil. & Minn. R.R. Co.
62 Mil. & St Paul R.R. Co. " " James T. Soulter &c.
160 J. Allen Heffenstein " " James T. Soulter &c.
161 Mil. & St Paul R.R. Co. " " James T. Soulter &c.
172 Mil. & Minn. R.R. Co " " James T. Soulter &c.
173 Alexander Fleming " " James T. Soulter &c.
211 James T. Soulter &c " " Mil. & St Paul R.R. Co.
217 Mil. & Minn R.R. Co " " " " " " " "
220 Mil. & Minn R.R. Co " " Selah Chamberlain
221 Mil. & St Paul R.R. Co. " " Mil. & Minn R.R. Co.
230 Mil. & Minn. R.R. Co. " " James T. Soulter &c.
231 Mil. & Minn R.R. Co " " Fred. P. James
232 Mil. & Minn R.R. Co. " " Fred. P. James
233 Mil. & Minn R.R. Co. " " Fred. P. James
263 Thomas Case " " Lane & Bowen &al

Counsel having stated to the Court that they had agreed upon the time for the argument of these cases. It is now here ordered by the Court that these cases be and they are hereby set down for argument on the first monday in February next.

The Propeller Hypodame &c. Appellant vs. Chester H. Chapin et al	The argument of this

53.

case was commenced by Mr Vansantvoord of counsel for the appellant, continued by Mr Owen of counsel for the appellees and concluded by Mr Vansantvoord for the appellants

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Columbus Alexander Plaintiff in error vs. H. B. Swan, et al	This cause was submitted to the Court on the record

54

Simon Mussina
Plaintiff in Error
10 vs.
Maria Josefa Canazos et al

The argument of this cause was continued by Mr. Robinson of counsel for the defendant in error and concluded by Mr. Sherwood of counsel for the plaintiff in error.

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113 The Milwaukie & St Paul R.R. Co. Appellt. vs. James T. Soutter &c.
55 Frederick P. James et al " " Mil. & Minn. R.R. Co.
62 Mil. & St Paul R.R. Co. " " James T. Soutter &c.
160 J. Allen et Heffenstein " " James T. Soutter &c.
161 Mil. & St Paul R.R. Co. " " James T. Soutter &c.
172 Mil. & Minn. R.R. Co " " James T. Soutter &c.
173 Alexander Fleming " " James T. Soutter &c.
211 James T. Soutter &c " " Mil. & St Paul R.R. Co.
217 Mil. & Minn. R.R. Co " " " " " " " "
220 Mil. & Minn. R.R. Co " " Sedah Chamberlain
221 Mil. & St Paul R.R. Co. " " Mil. & Minn. R.R. Co.
230 Mil. & Minn. R.R. Co. " " James T. Soutter &c.
231 Mil. & Minn. R.R. Co " " Frederick P. James
232 Mil. & Minn. R.R. Co. " " Frederick P. James
233 Mil. & Minn. R.R. Co. " " Frederick P. James

Counsel having stated to the Court that they had agreed upon the time for the argument of these cases. It is now here ordered by the Court that these cases be and they are hereby set down for argument on the first monday in February next.

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53. The Propeller Hypodamia &c. Appellant vs. Chester W. Chapin et al

The argument of this case was commenced by Mr Vanvanderpoord of counsel for the appellant, continued by Mr Owen of counsel for the appellees and concluded by Mr Vanvanderpoord for the appellants

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54 Columbus Alexander Plaintiff in error vs. H. B. Swaney et al

This cause was submitted to the Court on the record

and printed arguments by Mr. Bird and Mr Merrick of counsel for the plaintiff in Error and by Mr Davidge of counsel for the defendants in error

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The United States Appellants 56 vs. The Schooner Hatchfield &c	This cause was argued by Mr Ashton of counsel for the appellant - No counsel appearing for the appellee.

Proclamation being made the Court is adjourned until Thursday morning next, at eleven oclock -

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Thursday December 26th 1867.

Pursuant to adjournment the Court met this morning at the Capitol -

Present.

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Robert C Grier
Nathan Clifford — Associate
Noah H Swayne — Justices.
Samuel F. Miller
David Davis and
Stephen J. Field

Richard C Parsons Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr Attorney General Stanbery, it is ordered that Samuel G. Courtney Esquire of New York City State of New York, and Michael A. Dougherty Esquire of Lancaster State of Ohio be admitted to practice as attorneys and coun-

sellors of this Court, and they were sworn accordingly.

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57 The United States
Appellants
vs.
The Schooner "Sea Witch &c.

The argument of this cause was commenced by Mr Ashton of counsel for the appellants, continued by Mr Marvin of counsel for the appellee and concluded by Mr Ashton for the appellants –

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58 The United States
Appellants
vs.
The Brig Gozzina Caligondu and cargo.

This cause was argued by Mr Ashton of counsel for the appellants, and by Mr Marvin of counsel for the appellee.

The United States
vs. Appellants
The Brig Gozzina Caligondu & cargo

Appeal from the District

Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel - On consideration whereof, it is now here ordered, adjudged, and decreed, by this Court, that the decree of the said District Court in this cause, be, and the same is hereby affirmed - And that this cause be, and the same is hereby remanded to the District Court of the United States, for the District of Louisiana.

per Mr Chf. Justice Chase.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday December 27th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Reverdy Johnson it is ordered that Henry G. Worthington Esquire, of Omaha, State of Nebraska be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Columbus Alexander Plaintiff in error vs. 54 Hugh B. Sweeny and Leonard Huyck.	In error to the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel, and it appearing to the Court that the writ of error in this cause is defective. It is now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed with costs.

per Mr Chief justice Chase.

Columbus Alexander Plaintiff in Error vs. 54 Sweeny & Huyck	Mr Merrick of counsel for the plaintiff

in error moved the Court for leave to withdraw the transcript of the record of this case from the files of the Court - On consideration whereof it is now here ordered by the Court that the plaintiff in error have leave to withdraw the transcript of the record of this case from the files of this Court upon his leaving with the Clerk a receipt therefor and which the Clerk is hereby directed to file in the place of said transcript.

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384. Francis O. J. Smith
Plaintiff in error
vs.
Samuel F. B. Morse and Amanda C. Vail Executrix and Theodore Lillie, and George J. Cobb Executors of Alfred Vail. deceased.

Mr Carlisle of counsel for the defendant in error having filed and read in open Court the following certificate to wit:
"The Clerk of the Circuit Court of

the United States for the Southern District of New York.

December 20th 1867.

This is to certify that in a certain action at law, on this Court, between Samuel F. B. Morse and Alexander O. Vail Executrix and Theodore Lyon and George J. Cobb Executors &c. of Alfred Vail deceased - plaintiffs - and Francis O. J. Smith, defendant, judgment was rendered for the plaintiffs against the defendant on the seventeenth day of July 1867. for the recovery of $12.182.63. of damages and costs, and that a writ of error from said judgment returnable in the Supreme Court of the United States, was sued out by said Francis O. J. Smith, and that the said writ of error with the return thereto was delivered by the Clerk of this Circuit Court to the said Smith's Attorneys on the thirtieth day of November last past: and

that said writ of error was duly sued out and allowed

Seal

Kenneth G. White
Clerk"

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error - Now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed - On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the Southern District of New York be, and the same is hereby docketed and dismissed with costs. and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice, the said writ of error notwithstanding."

208 C. S. Silver, admr &c. Plff in Err vs R. J. Ludlow
209 A. L. Marshall & al " " " " A. J. Knott
210 A. L. Marshall & al " " " " R. J. Ludlow

On motion of Mr Williams It is ordered by the Court that his appearance for the plaintiff in error in these cases be, and the same is hereby stricken out.

Mr Sanders of counsel for the defendants in error filed motion to dismiss these cases.

John W. Lockwood
Appellant
vs.
191 The Schooner "Grace Girdler"

The motion to dismiss this appeal was argued by Mr Donohue in support of the motion and by Mr Carlisle in opposition thereto - Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider

342 The United States. Appel. vs. J. Smith Speed et al.
347 The United States. Appel. vs. Geo. W. Johnson
348. The United States. Appel. vs. Robert Floyd.

The motions to dismiss these appeals was argued by Mr Butler, Mr. Hughes and Mr Stanton in support of the motions and by Mr Norton in opposition to the same. Thereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

John Maguire
Plaintiff in Error.
253 vs.
Mary L. Tyler et al.

The motion to dismiss this writ of error was argued by Mr Hill in support of the same. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Union Insurance Company, Appellant
vs.
52. The United States &c. &c.

argument of the motion to dismiss this appeal was

commenced by Mr Ashton in support of the same, continued by Mr Durant, in opposition thereto, and concluded by Mr Attorney General in favor of the motion - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until Monday morning at Eleven o'clock. -

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Monday December 30th 1867.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire, Marshal
Daniel Henry Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court on this behalf by Mr. P. Phillips, it is ordered that William T. Shannon Esquire, of Muscatine State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. Hubley Ashton, it is ordered that B. F. M. Hurley Esquire of Frederick State of Maryland be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Rule 31.

Ordered- That upon the filing of the transcript of a record, brought up by writ of error or appeal the appearance of the counsel for the plaintiff in error or appellant shall be entered, and no motion to dismiss, except on special assignment by the Court shall be heard, unless previous notice has been given to the adverse party or the counsel or attorney of such party.

147. The Iowa, Dubuque, Sunnith & Minnesota Packet Company. Appellants. vs. So much of the Rock Island Railroad Bridge as is within the Northern District of Illinois: The Rock Island Railroad Company - & The Mississippi & Missouri Railroad Company. & Hannah C. Flagg, Claimants.

Appeal from the Circuit Court of the United States for the Northern District of Illinois -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel - On consideration whereof.- It is now here ordered, adjudged, and decreed, by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Mr Justice Field.

25

Milton J. Sukins and John Simon
Appellant
vs.
Thomas A. Aird and Nicholas P. Spring.

Appeal from the District Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the Record from the District Court of the United States, for the Western District of Arkansas, and was argued by counsel - On consideration whereof. It is now here ordered adjudged, and decreed by this Court, that the decree of the said District Court in this cause, be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said District Court with directions to enter a decree setting aside the conveyances as fraudulent.

Mr. Justice Davis

Joseph H Hooker
Plaintiff in Error
vs.
Eli Hossack

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered, and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Swayne.

Dissenting as to the rule of damages
Mr Justice Clifford
" " Miller

Monday December 30th 1867 Continued.

	James E Mumford Plaintiff in Error. vs. Chas Hardwell	In error to the Circuit Court of the United States

29.

for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel - On consideration whereof it is now here ordered, and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs, and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of California.

per Mr Justice Clifford

The Schooner "Flying Scud" &c Cargo. } Caymare, Jules Arigo. and Lopez & Santos Coy. Claimants - Appellants.	Appeal from the District Court of the United States for the Eastern District of Louisiana.
33 vs. The United States	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana, and was argued by counsel - On consideration whereof - It is now here ordered, adjudged, and decreed by this Court, that so much of the decree of the said District Court, in this cause, as relates to the thirty bales of cotton claimed by Lopez and Santos Coy, be and the same is hereby affirmed. And that so much of said decree as relates to the one hundred and thirty seven bales claimed by Bernardo Caymare, and the thirty eight bales claimed by Jules

Aldige, be and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said District Court of the United States for the District of Louisiana with directions to enter a decree for the claimants Jules Aldige and B. Caymari. restoring their action with costs.

per Mr Justice Nelson.

The Southern Steamship Company of New Orleans Plaintiff in Error	In error to the Supreme Court of the State of Louisiana.
4 vs.	
The Master &c of Steamer of the Port of New Orleans	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered, adjudged,

the decree of the said Supreme Court, in this cause, be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr Chief Justice Chase.

John W. Lockwood
Appellant
vs.
The Schooner "Grace Girdler"

191.

On consideration of the motion filed by Mr Donohue to dismiss this appeal and the arguments of counsel thereupon had as well in support of as against the same - It is now here ordered by the Court that the appellants have leave to make proof of jurisdictional value by affidavit & to file such proof with the Clerk of this Court within twenty days from this date, and in default

of which the cause shall stand dismissed.

Marion Woodson Plaintiff in Error; vs. The State of Missouri & ux The Attorney General	On consideration of the motion filed by Mr Drake to dismiss this writ of error, and the argument thereupon had in support of the same. It is now here ordered by the Court that notice of the motion to dismiss this writ of error be given to the plaintiff in error, or his counsel or attorney, and that the motion to dismiss stand for argument, on the second Friday in January.

267.

John Maguire Plaintiff in Error. vs. Mary L. Tyler et ab.	On consideration of the motion filed by Mr. Hill to dismiss this writ of error, and

253

the argument thereupon had in support of the motion. It is now here ordered by the Court, that notice of the motion to dismiss this writ of error be given to the plaintiff in error or his counsel or attorney, and that the motion to dismiss stand for argument on the second Friday in January.

Ex parte. William H. McCardle. Appellant.

380.

Mr Black of counsel filed motion to fix day for the argument of this cause. On consideration whereof, it is now here ordered by the Court that said motion be, and the same is hereby set down for argument on Friday the 10th day of January.

Nathaniel Doyle et al Appellants

112 vs.

The United States

Mr Attorney General Stanbery moved

and
Grief & Wife
vs
Spellards

246 US.
The United States

the Court to advance these cases, in order that they may be argued immediately after or with 7 & 10 ante, when that case is reached in the regular call of the docket, on the ground that the said three cases were argued & decided together in the Court below. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider -

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The County of Lane
Plaintiff in Error
vs
60 The State of Oregon

The argument of this cause was continued by Mr Rowley Johnson of counsel for the defendant in error, and concluded by Mr Williams of counsel for the plaintiff in error. -

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Proclamation being made, the Court is adjourned until Monday the 6th day of January 1868 at eleven o'clock

Monday January 6th 1868.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Associate justices

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr B.R. Curtis it is ordered that J.C. Loring and C.M. Loring Esquires, of Boston State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr R. M Corwine. it is ordered that C. S. Lovell Esquire of Cincinnati State of Ohio. be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Schooner Isabel alias Annabella &c Cargo Appellant

vs.

The United States

Mr Attorney General Stanbery filed certificate of Clerk of the Circuit Court of the United States, for the Southern District of Florida, and moved the Court to docket and dismiss this appeal - On consideration whereof - It is now here ordered by the Court that the said motion be, and the same is hereby set down for argument on Friday next.

Susan P. Hepburn & H. P. Hepburn Plffs. in Error vs. Henry A. Griswold	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Preston of counsel for the plaintiffs in error and by Mr H. A. Griswold for defendant in error.

89

Morris Selz and Henry Lepold Appellants vs. Louis J. Huna et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Goodwin and Mr Roberts of counsel for the appellants and by Mr McKinnon of counsel for the appellees.

192

Frederick Bronson & Co. vs Plaintiff in Error Peter Rader	This cause

225

submitted to the consideration of the Court, on the record and printed arguments by Mr Townsend of counsel for the plaintiff in Error and by Mr Rogers of counsel for the defendant in error.

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41 William States Ex'r Appellant vs. Lewis Maxwell's admr &c

This cause was argued by Mr Lee and Mr Boggess of counsel for the appellees and by Mr Frick of counsel for the appellant

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Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 7th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field
} Associate Justices

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

Charles Feltz,
Libellant and
Appellant
vs.
The Gabriel "Amelia"

The argument of this cause was commenced by Mr F. C. Loring of counsel for the appellant,

50

continued by Mr C. H. Loring of counsel for the appellees and concluded by Mr R. H. Curtis, counsel for the appellant

	Abby R. Loring et al Appellants vs. Levi H Nash et al	The argument of this cause was commenced by Mr B. R. Curtis of counsel for the appellants.

51

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday January 8th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chf: Justice -

Samuel Nelson
Robert C Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis
Stephen J. Field

Richard C Parsons Esquire. Marshal.
Daniel Wesley Middleton. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr S. R. Curtis, it is ordered that James J. Storrow, Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Court on this behalf by Mr Jas. M. Carlisle it is ordered that Clinton Briggs Esquire of Omaha, and E. S. Dundy Esquire of Falls City, State of Nebraska, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

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51 Abby R. Loring & al Appellants vs. Levi H. Marsh & al

The argument of this cause was continued by Mr P. R. Curtis of counsel for the appellants by Mr F. C. Loring. - Mr C. P. Loring and Mr S. Bartlett of counsel for the appellees and by Mr C. Cushing for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday January 9th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire. Marshal
Daniel Henry Middleton. Clerk.

Proclamation being made the Court is opened.

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51. Abby K. Loring Adm't Appellants vs. Levi H. Marshall

for the appellants

The argument of this cause was concluded by Mr Cushing of counsel

61. Charles H. West et al. Plaintiff in Error vs. The City of Aurora

This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr Mitchell of counsel for the plaintiffs in error and by Mr Lincoln of counsel for the defendant in error.

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63. Miles Sells, administrator of John K. Elgee, deceased Plaintiff in Error vs. Oliver Lovell

On the application of Mr. Attorney General Hanbury, stating that the United States was deeply interested in this case - It is now here ordered by the Court that three counsel be allowed on either side in the argument of this case.

Thursday January 9th 1868 continued.

63. Miles Sells administrator of John A. Elgin deceased. Plaintiff in Error vs. Oliver Lovell. | The argument of this cause was commenced by Mr Shipley of counsel for the plaintiff in Error, and continued by Mr Drake of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday January 10th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase	Chief Justice
Samuel Nelson	Associate Justices
Robert C. Grier	
Nathan Clifford	
Noah H. Swayne	
Samuel F. Miller	
David Davis	
Stephen J. Field	

Richard C. Parsons Esquire. Marshal.
Daniel Wesley Middleton. Clerk.

Proclamation being made, the Court is opened.

The Providence Rubber Co Appellant vs. Chas Goodyear's Executors et al	Mr Cushing of Counsel for the Appellants

2 J. 5.

filed answer to motion to dismiss this appeal and affidavit.

Also a motion to reduce

amount of bond and affidavit in support of same. And moved the Court, (Mr S. R. Curtis for the Appellees consenting) that these motions be set for argument on Friday next. On consideration whereof it is now here ordered by the Court that these motions be and the same are hereby set down for argument on Friday next the 17th instant.

The Providence Rubber Co. Appellants
vs.
Charles Goodyear & Ors & al

Mr Cushing of Counsel for the appellant

having filed and read in open court a suggestion of a diminution of the record in this case in the words and figures following to wit:—

"That in the transcript of the proceedings in said cause as returned to and filed in this Court a manifest deficiency appears

in this that whereas the judgment of the Circuit Court of the United States for the District of Rhode Island, was settled, signed and entered on the 5th day of December 1866 subsequent to the commencement of the last term of this Court, in accordance with which fact the appeal Bond, approved by the Court as of December 5th 1866, required said appeal to be entered at the present term of the Supreme Court yet the date of the signing and entering of said judgment or decree is not set forth in said transcript" -

By reason of which omissions and errors aforesaid the said counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Rhode Island commanding them that searching the records and proceedings

of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found. On consideration whereof, it is now here ordered and decreed by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court all entries in the minute book or other records of said Court of the decision of said Circuit Court and of the signing and entry of the final decree or judgment thereof and of the day when the said decree or judgment was signed and entered by Hon J. R. Bullock, District Judge, acting and sitting for the Circuit Court in this behalf and

as filed by the Clerk, and whatever omissions and errors shall be found in this cause and return the same with the said writ of certiorari forthwith to this Court.

Per Mr. Chf Justice Chase.

John Maguire
Plaintiff in Error
vs.
253 Mary L. Tyler et al
and
Charles Gibson
Plaintiff in Error
vs.
247. Charles P. Chouteau et al.

The Court declined to hear the motions to dismiss these cases for the present.

The United States
Appellants
vs.
58. The Brig "Gazina Belligenda"
& Cargo.

On motion of Mr Marvin of Counsel for the Appellee and with the consent of Mr Stebbins special counsel for the appellants -

It is now here ordered by the Court that the Clerk of this Court transmit to the Clerk of the District Court of the United States for the District of Louisiana the original papers sent up from that Court in this case.

Joseph Coleman et al Appellants vs Harvey Baldwin's legal Representatives

On motion of Mr Sherwood, ordered that leave be granted the Clerk to issue the mandate in this case.

205 C. S. Silver adm'rx. &c. Plff in Err. vs: R. J. Ladd et al.
209 A. L. Marshal et al . . . vs. A. J. Knott
210 A. L. Marshall et al . . . vs. Robt J. Ladd.

On motion of Mr Lander, the motions to dismiss these writs of error set for argument on Friday next the 17th inst.

James Millinger
Plaintiff in Error
vs.
305 Andrew Hartupee

The argument of the motion to dismiss this writ of error was commenced by Mr. Chipman in support of the same continued by Mr Black in opposition thereto and concluded by Mr. Thomas Wilson in favor of the motion. Whereupon this Court not being now here sufficiently advised of, and concurring what order to render in the premises took time to consider.

Miles Sills Ham & Co.
Plaintiff in Error
vs.
63. Oliver Lovell.

The argument of this cause was continued by Mr Drake of counsel for the defendant in error, and by Mr Reverdy Johnson of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday January 13th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire, Marshal.
Danl Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in their behalf by Mr Attorney General Stanbery, it is ordered by the Court, that H. W. Paine Esquire of Cambridge and R. M. Morse Jr. Esquire of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

46

Richard Mason
Plaintiff
vs.
Alson Eldred, Elisha
Eldred, and Ira Bacon

On a
certificate
of division
in opinion
between
the Judges

of the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Wisconsin, and on the point or question which the Judges of the said Circuit Court, were opposed in opinion and which was certified to the Court, for its opinion, agreeably to the act of Congress in such case made, and provided, and was argued by counsel - On consideration whereof, it is the opinion of this Court, that the exemplification of the record of the judgment recovered against the defendant Elisha

Eldred offered by the defendant Hinson Eldred is not admissible in evidence in bar of and to defeat a recovery by the plaintiff against him. Whereupon it is now here ordered, adjudged and decreed by this Court that it be so certified to the said Circuit Court.

per Mr Justice Field

44	Harrison Thomson Appellant vs. The Central Ohio Railroad Company, and The Steubenville and Indiana Railroad Co.	Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the ~~Southern~~ District of Ohio, and was argued by counsel - On consideration whereof - It is now here ordered, adjudged and decreed by this Court that the decree of the said Cir

cuit Court in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill without prejudice, and for further proceedings to be had therein in conformity to the opinion of this Court.

Per Mr Justice Davis -

Mr Justice Swayne being a stockholder in one of the Companies took no part in the decision of this case

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56 The United States Appellants vs. The Schooner "Watchful" and cargo

Appeal from the District Court of the United States, for the Eastern District of Louisiana -

This cause came on to be heard

on the transcript of the record from the District Court of the United States, for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged. and decreed by this Court, that so much of the decree of the said District Court, in this cause as dismisses the libel in prize, be. and the same is hereby affirmed: and that so much of the decree of the said District Court as awards restitution of the vessel and cargo be and the same is hereby reversed. And it is further ordered that this cause be, and the same is hereby remanded to the District Court of the United States, for the District of Louisiana with directions to allow the libellant a reasonable time to file a new libel. and for further proceedings in conformity with the opinion of this Court.

per Mr Justice Miller

Nelson Clements, and Edward H. Sheldon, surviving partners of Henry Sheldon, deceased. Appellants vs. James Nicholson, Thomas C. Moore, and Rebecca H. Nicholson.

Appeal from the District Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof. It is now here ordered adjudged and decreed by this Court, that the decree of the said District Court in this cause, be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said District Court with directions to enter

a decree in conformity to the opinion of this Court.

per Mr. Justice Swayne

Thomas C. Morne Appellant vs. Nelson Clements, and Edward A. Sheldon, Surviving partners of Henry Sheldon, deceased.	Appeal from the District Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged, and decreed by this Court, that the decree of the said District Court, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said District Court with

conformably to the opinion of this Court.

per Mr Justice Swayne.

Marshall C. Roberts Plaintiff in Error vs. Henry M. Graham	In error to the Circuit Court of the

#9

United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. - On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum - that similar judgments

bear in the Courts of the State of California - And that this cause be, and the same is hereby remanded to the Circuit Court of the United States, for the District of California -

per Mr Justice Swayne.

	Marcus C. Riggs Plaintiff in Error, vs. The Board of Supervisors of the County of Johnson.	In error to the Circuit Court of the United States for the District
42		

of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel. On consideration whereof. It is now here ordered, and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs - And that this cause be and

to the said Circuit Court, with directions to sustain the demurrer and for further proceedings to be had therein in conformity to the opinion of this Court.

Dissenting } Mr. Justice Clifford
Mr Jus. Miller
" Chf Jus. Chase
" Jus. Grier

The United States exrel J. Edgar Thomson - Plaintiff in Error	In error to the Circuit Court of the United States
94. vs.	
The Board of Supervisors of Henry Co. et al - Iowa	

for the District of Iowa

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel - On consideration whereof. It is now here ordered & adjudged

by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is, hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to sustain the demurrer of the plaintiff and for further proceedings to be had therein in conformity to the opinion of this Court.

Dissenting Mr Justice Clifford
Mr Jus: Miller
Mr Chf Jus: Chase
Mr Jus: Grier

The United States
ex rel John Heiser
Plaintiff in Error
vs.
The Board of Supervisors
of the County of Lee in
the State of Iowa.

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the Northern District of Illinois and was argued by counsel - On consideration whereof - It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to grant the motion of the plaintiff and quash the return as insufficient. And for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr Justice Clifford

Mr Justice Miller took no part in the decision of this case

Thomas M. Teague
Plaintiff in Error
vs.
David D. Hutchison, Eliza M. White, Wm & Abram L. White

In error to the District Court of the United States for the Eastern

20

District of Texas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Texas and was argued by Counsel. On consideration whereof It is now here ordered and adjudged by this Court, that the judgment of the said District Court in this cause, be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said District Court with directions to award a venire facias de novo.

per Mr Justice Grier

The United States Appellants vs. The Schooner Sea Witch and cargo.	Appeal from the District Court of the United States for the Eastern District

57

of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed. And that this cause be, and the same is hereby remanded to the District Court of the United States for the District of Louisiana.

Per Mr Chief Justice Chase

Frederick Prentiss, impleaded with William H White. Plaintiffs in Error		In error to the Circuit Court of the United States for the
59	vs.	
Williams Pickersgill Jr. for the use of Levi Wade		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It appearing to this Court that this cause has been brought to this Court solely for the purpose of delay, it is thereupon now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and damages at the rate of ten per cent per annum until paid.

per Mr Chief Justice Chase.

The Union Insurance Co. of Ireland
v.s.
The United States Val.

52.

Upon consideration of the motion filed by the Attorney General U.S. to dismiss this appeal and the arguments thereupon had as well

motion, it is now here ordered by the Court that said motion be and the same is hereby overruled.

John N. Lockwood Appellant vs. The Schooner "Grace Girdler"	Upon the further consideration of the

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motion filed by Mr Donohue to dismiss this appeal and also of the affidavits of value filed by the appellant it is now here ordered by the Court that said motion be and the same is hereby overruled.

John Maguire Plaintiff in Error vs. Mary L. Tyler et al.	Ordered by the Court that the motion filed by Mr Hill

253.

to dismiss this writ of error, be and the same is hereby set down for argument on Friday the 24th instant.

Miles Sells. administrator &c.
Plaintiff in Error
vs.
Oliver Lovell

63

The argument of

this cause was continued by Mr Attorney General Stanbery of counsel for the United States.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday January 14th 1865.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson	
Robert C. Grier	
Nathan Clifford.	Associate
Noah H. Swayne	Justices
Samuel F. Miller	
David Davis and	
Stephen J. Field	

Richard C. Parsons Esquire, Marshal.
Daniel Ousley Middleton Clerk.

Proclamation being made, the Court is opened.

Miles Sells, Admr &c Plaintiff in Error	The argument
63. vs.	of this
Oliver Lovell	cause
	was con-

tinued by Mr Hughes of counsel for the defendant in error, and concluded by Mr Carlisle for the plaintiff in error.

Tuesday January 14th 1868 continued

The United States Plaintiffs vs. Julius T. Hartwell	The argument of this cause was commenced by Mr J. Hubley Ashton of counsel for the plaintiffs.

287

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday January 15th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons, Esquire, Marshal.
James Hagley Middleton, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr James M. Carlisle, it is ordered that David Humphreys Esquire of Decatur, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday January 15th 1868. continued.

The United States.
Plaintiffs
257 vs.
Julius F. Hartwell

The argument of this cause was continued by Mr Morse and Mr Paine of counsel for the defendant - and concluded by Mr Attorney General Stanbery of counsel for the plaintiff -

Ethan Allen
Appellant
64 vs.
Rollin White et al

The argument of this cause was commenced by Mr Causten Browne of counsel for the appellant.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday January 16th 1868.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons, Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

Francis O. J. Smith
Plaintiff in Error.
vs.
384 Samuel F. B. Morse and Amanda C. Vail, Executrix and Theodore Sills and George J. Cobb, Executors of A. Vail deceased.

On motion of Mr B. R. French of counsel for the plaintiff in error, with the assent of Mr Carlisle of counsel for the defendant

in error it is now here ordered by the Court that the order docketing and dismissing this writ of error with costs on the 27th of December last, be, and the same is hereby reversed and annulled on the payment of costs due the Clerk, and that the plaintiff in error have leave to docket the case -

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Ethan Allen
Appellant
vs.
Kellen White et al

64

The argument of this cause was continued by Mr Browne of counsel for the appellant and by Mr Stoughton of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday January 17th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf, by Mr. P. R. Curtis, it is ordered that J. Kervey Ackerman Esquire, of Plainfield State of New Jersey be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Joseph H. Bradley Senior it is ordered that William H. Clagett Esquire of Helena, Montana Territory be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr S. Trumbull, it is ordered that D. G. Swaine Esquire of Salem, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr L. Sherwood, it is ordered that Samuel D Williamson Esquire of Lynchburg State of Virginia, be admitted as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr E. F. Goold, it is ordered that E. F. Sanderson Esquire of Brooklyn State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly –

On motion first made to the Court in this behalf by Mr James Hughes, it is ordered that John Coburn Esquire of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly –

On motion first made to the Court in this behalf by Mr Rowdy Johnson it is ordered that William S. Kaines and A. A. Jackson, Esquires, of Janesville State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Friday January 17th 1868 - Continued -

70 Sarkis Mauran 2nd Plff in Err. vs. The Alliance Ins. Co.
162 " " " " " " " " "Mercantile Maine" "
163 " " " " " " " " "Equitable Safety" "
164 " " " " " " " " "Washington" "
165 " " " " " " " " "Boston" "

On motion of Mr Cushing of counsel for the plaintiff in Error with consent of Mr Curtis of counsel for the defendant in error, ordered by the Court, that these cases be argued together when No 70 is reached in the regular call of the docket.

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275 The Providence Rubber Co. Appellant vs. Charles Goodyear's Ex'rs Def'ts

The argument on the motion to dismiss this appeal was commenced by Mr Ackerman in support of the same - continued by Mr. Cushing and Mr. Parsons, in opposition thereto, and concluded by Mr Curtis in favor of the motion. The motion to reduce amount of Bond was submitted

to the same counsel - Whereupon this Court not being now here sufficiently advised of, and concerning what orders to render in the premises took time to consider.

Armstrongs Foundry. Appellant
vs.
The United States

74.

Mr. H. Marshall of counsel for the appellant filed motion for leave to file a plea of pardon in this case which was argued by him in support of the same, and by Mr Attorney General Stanbery in opposition thereto - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Ex parte Wm H. McCardle Appellant.

380.

The motion to fix day for the argument of this cause was

argued by Mr Black and Mr. Sharkey in support of the same and by Mr Trumbull and Mr Hughes in opposition thereto - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Jared H Clark & al Appellants. vs. The United States.	Mr Joliffe of counsel for the appellant filed a suggestion

113

of diminution and motion for a writ of certiorari in this cause.- Whereupon, this Court not being now here sufficiently advised of and concerning what order to render in the premises, took time to consider.-

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The State of Texas Complainant vs. George H. White, & al	The motion to dissolve the injunction

0. original.

granted in

and to dismiss the bill as to Hardenbergh was argued by Mr Carlisle in favor of the same, followed by Mr Hughes of counsel for the other defendants in support of his motion to dissolve the injunction as to them - And by Mr Merrick for the complainant in opposition to both of said motions - The further argument of the said motions postponed to Friday next.

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43 The Mil. & St Paul R.R.Co. Appl't vs. Soutter & al.
55 James et al Appls. vs. Mil & Minn R.R.Co
62 Mil & St Pa. R.R. Co. Appls " Soutter &c.
161 " " " " " " " " Soutter &c.
172 Mil & Minn R.R.Co. " " Soutter &c.
218 Soutter & al " " Mil & Minn R.R.Co
219 Mil & Minn R.R.Co " " Mil & Pac. R.R.Co
220 Mil & Minn R.R.Co. " " Chamberlain
221 Mil & St Paul R.R.Co. " " Mil & Minn R.R.Co.
230 Mil & Minn R.R.Co. " " Soutter &c.
231 Mil & Minn R.R.Co. " " James &c.
232 " " " " " " " " " " "
233

Friday January 17th 1868. continued -

On motion of Mr Cushing in behalf of Mr Gram - It is now here ordered by the Court that the appearance of Mr Gram in these cases be, and the same is hereby stricken out.

Proclamation being made, the Court is adjourned until monday morning at eleven o'clock -

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Monday, January 20th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Robert C. Grier
Nathan Clifford. } Associate
Noah H. Swayne } Justices
Samuel F. Miller } and
David Davis }
Stephen J. Field }

Richard C. Parsons Esquire, Marshal.
Daniel Kerry Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Reverdy Johnson it is ordered that E. G. Holmes Esquire of Denver, Territory of Colorado be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the

Court in this behalf, by Mr Caleb Cushing, it is ordered that M. H. Farley Esquire of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly -

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On motion first made to the Court in this behalf by Mr L. Sherwood, it is ordered that William H. Goddard Esquire of Galveston State of Texas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. Hubley Ashton, it is ordered that Augustus C. Tansioli, Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Montgomery Blair, it is ordered that Daniel H. Adams Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William Slaters Executors Complainants &c Appellants
vs.
Lewis Maxwell's widow and Executrix &c &c.

41

Appeal from the District Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Virginia and was argued by counsel. On consideration whereof - It is now here ordered, adjudged and decreed by this Court, that the decree of the said District Court in this cause be, and the same

is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the District Court of the United States for the District of West Virginia with directions to enter a decree in conformity to the opinion of this Court.

Per Mr Justice Field.

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272. The United States, Appellt. vs. Theodore Adams.
342 The United States, Appts. " J. Smith Speed et al.
347 The United States, Appts. " Geo. W. Johnson
348. The United States, Appts. " Robert Floyd.

Upon consideration of the motions filed to dismiss these appeals, and of the arguments of counsel thereupon had as well in support of, as against the said motion - it is now here ordered by the Court, that the said motions be, and the same are hereby overruled.

Per Mr Justice Miller.

Monday January 20th 1865. continued-

Morris Selz. and Henry Leyoed. Appellants vs. Levi J. Unna, William M. Rafe, John H. Rafe, Samuel B. Shearer, Wm M. Strong, Daniel L. Shearer, William Clark, Henry A. Kohn, and Joseph Kohn.

192

Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed, by this Court, that the decree of the said District Court in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

The United States
Appellant
vs.
347 George W. Johnson

Ordered by the Court that the transcript of the record in this case be and the same is hereby remanded to the Court of Claims with direction to return a finding of the facts in accordance with the rule of this Court.

per Mr Justice Miller

Jared H. Clark Trab.
Appellant
vs.
113 The United States

On consideration of the motion filed by Mr Joliffe suggesting a diminution of the record in this case. It is now here ordered by the Court that said motion be, and the same is hereby overruled.

per Mr Justice Miller

53.

The Propeller Hypodame her tackle &c
The Hetan Transportation Company. Claimant
vs. Appellants
Chester H. Chapin. Charles A. Northam. Silas Higgins Oliver B. Hall. Henry Elliott. John Mellman. Jedediah Kent and Richard A. Farnham.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof. It is now hereby ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same

rate per annum that similar decrees bear in the Courts of the State of New York.

per Mr Justice Grier.

Abby K. Loring et al. infants and heirs of Josiah S. Loring, deceased, by their next friend Christina W. K. Loring. Appellants

vs.

Levi K. Marsh and Elbridge Kenion, administrator &c. Appellees

Appeal from the Circuit Court of the United States for the District of Massachusetts.

51

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel On consideration whereof. It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause in, and the same is hereby affirmed with costs. And it is further ordered

Michael Kase 167 vs. Plff. in Error. The United States.	On motion of Mr. Attorney General Stanbery, ordered by the Court that this cause be, and the same is hereby continued to the next term of this Court.

Ethan Allen Appellant 64 vs. Rollin Tibbits et al	The argument of this cause was continued by Mr Keller of counsel for the appellees who concluded by Mr B. R. Curtis of counsel for the appellant.

Jeremiah Carhart et al Appellants 65 vs. Charles Austin	Ordered by the Court that this case be, and the same is hereby passed for the present.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday January 21st 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chf. Jus.
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

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5 original

The Commonwealth of Virginia, Complainant vs. The State of West Virginia	The Chief Justice announced that in this case

the Court is equally divided on the demurrer, and equally divided also upon the order which should be made in consequence of that division.

Tuesday January 21st 1865. Continued –

Ex parte Wm H. McCardle
Appellant

380.

The Chief Justice announced that a majority of the members of the Court being of opinion that the motion of the appellant ought to be allowed, it is ordered That this cause be advanced on the Docket, and assigned for hearing on the first Monday of March.

Armstrong – Jaundry.
Appellant
vs.
The United States

74.

Upon consideration of the motion filed by Mr Marshall in this case and of the arguments of counsel thereupon had, as well for as against it is now here ordered by the Court that said motion be and the same is hereby granted, unless the Attorney General proposes to controvert the sufficiency of the plea by a replication of matters ex-

ing since the pardon.

The Union Insurance Co.
Appellant.
vs.
52 The United States.

The argument of this Case was Commenced by Mr. Durant of Counsel for the appellant, continued by Mr. J. Kirby Ashton and Mr. Attorney General Stanbery of counsel for the Appellees, and concluded by Mr. Durant for the appellants.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday January 22nd 1865.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

D. C. Broderick's Exr Plffs: in Error.
vs.
Henry S. Magraw Exr Deft in Error.

No. 67.

The argument of this cause was commenced by Mr Carlisle of counsel for the plaintiff in error, continued by Mr Wills of counsel for the defendant in error and concluded

by Mr Carlisle for the plaintiff in Error.

Archibald Young et al. Appellants. vs. Joshua Cushing et al	Ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

68

The Steamship "Adela" Appellant vs. The United States	This cause was argued by Mr. J. H. Ashton of counsel for the appellees and submitted on the Record and printed arguments by Mr Smith of counsel for the appellants.

69

70	Suchet Mauran 2nd Piff. in Error	vs	Alliance Ins. Co.
162	Same " " "		Mercantile Mar. "
163	Same " " "		Equitable " "
164	Same " " "		Washington " "
165	Same " " "		Boston " "

The argument of these cases was commenced by Mr Cushing of counsel for the plaintiff in error

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Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday January 23rd 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

} Associate Justices

Richard C. Parsons, Esquire Marshal.

Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr James McCarlisle, it is ordered that Nestel Hillenghey Esquire of Alexandria State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips, it is ordered that James M. Connell Esquire of New Orleans, State of Louisiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

70	Sucket Maurian 2nd Pltff in Err vs:	Alliance Ins Co.
162	Same " " "	Mercantile Marine " "
163	Same " " "	Equitable " "
164	Same " " "	Washington " "
165	Same " " "	Boston " "

The argument of these cases was continued by Mr Morrow, and Mr B. R. Curtis, of counsel for the defendant in error and concluded by Mr. Cushing for the plaintiff in error.

71	Joseph C. Willard, vs: Benjamin C Taylor	The argument of this cause was commenced by Mr B. R. Curtis of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday January 24th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Stanbery, it is ordered that Harlan P. Lloyd, Esquire of Cincinnati, State of Ohio, and William H. De Wolf, Esquire, of Lucerne, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that David T. Patterson Esquire of Greeneville, and Robert A. Crawford Esquire of Grenville, State of Tennessee, and W. H. Grant Esquire of St Paul State of Minnesota be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

412

Thomas Carbine and James Burns, impleaded with Chas Swenson Plffs: in Error vs. Marcellus F. Miller	Mr S. G. Cook of Counsel for the defendant in Error

filed and read in open Court the following certificate to wit:
"In the Circuit Court of the United States -
Northern District of Illinois
Wednesday May 22nd 1867.

Mannell F. Miller
vs.
Thomas Carbine, and
James Burns impleaded
with Ole Severson.
} Ejectment

Northern District of Illinois S.S.

I, William H. Bradley,
Clerk of the Circuit Court of the
United States for said Northern
District do hereby certify that upon
a trial in said Court in the above
entitled cause on the plea by the
defendants of the general issue judg-
ment was rendered in favor of the
said Mannell F. Miller and against
said Thomas Carbine and James Burns
impleaded &c on the said twenty sec-
ond day of May A.D. 1867, and that
said Thomas Carbine and James Burns,
Plaintiffs in Error sued out of said
Court a writ of error and filed
their bond which was approved
and made a supersedeas bond,
for the purpose of removing the case
to the Supreme Court of the United States,
as by said writ of error more fully

Records now in my custody.
In testimony whereof I have here-
with set my hand and affixed the
seal of said court at my
Seal of Rec. Comp. office in Chicago in said
District this 21st day of
January A.D. 1868.
William K. Bradley
Clerk.

and having stated that the plaintiffs
in Error had altogether failed to file
the record of said cause in this Court,
or in any way to prosecute said writ
of error. Now here moved the Court
in pursuance of the 9th rule of this
Court to have this writ of error dock-
eted and dismissed. On consideration
whereof, it is now here ordered, ad-
judged and decreed by this Court
that this writ of error to the Circuit
Court of the United States for the North-
ern District of Illinois be and the
same is hereby docketed & dismiss-
ed with costs, and that this cause
be and the same is hereby remand-
ed to the said Circuit Court for

further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Per Mr Chief Justice Chase.

The United States
Appellants
vs.
139
Peter Ernest Soulatour &c.

The motion to dismiss this appeal was argued by Mr Durant in support of the same, and statement made by Mr Attorney General Stanbery assenting thereto.

The United States
Appellants
vs.
139
Peter Ernest Soulatour &c.
Hypolite Nores & Francis Salomon.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard

the Circuit Court of the United States for the Eastern District of Louisiana and on the motion of Mr Durant to dismiss this appeal and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed. And that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Louisiana.

per Mr Chief Justice Chase.

Marshall O Roberts
Plaintiff in Error.
vs.
49 Henry M Grahams Exrs

On motion of Mr Carlisle leave granted the Clerk to issue the mandate in this cause.

The State of Texas
Complainant
vs.
Originals. Henry M Whitesides

The argument of the motion of Mr Hughes to dissolve

the injunction, and of Mr Carlisle to dissolve the injunction and dismiss the bill as to Hardenburg, was continued by Mr Merrick and Mr Taylor in opposition to the same and by Mr Moore in support of the motion to dissolve the injunction and concluded by Mr Carlisle in favor of his motion.

---

71. Joseph C. Willard Appellant vs. Benjamin C. Taylor

On motion of Mr Bradley - It is ordered by the Court that leave be and the same is hereby granted him to file a printed brief in this case, in behalf of H. A. Willard.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday, January 27th 1868.

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr James M. Carlisle it is ordered that D. P. Jenkins Esquire of Knoxville State of Tennessee be admitted to practice as an attorney and counsellor of this Court, and leave given accordingly.

Monday January 27th 1868. continued

Charles Teig, Libellant, Appellant, vs. The Gabot "Amelia"	Appeal from the Circuit Court of the United States for the Dist.

Court of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel - On consideration whereof It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

Maria Josefa Canazos Plaintiff in Error, vs. Manuel Trevino and Ellen Cobb.	In error to the District Court of the United States for the Eastern

1.

Monday January 27th 1868. Continued.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Texas. and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the District Court. in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

Simon Mussina
Pltff: in Error.
vs.
Maria Josefa Carazas, and Estefana Goseascochea de Cortina.

In error to the District Court of the United States for the Eastern District of Texas.

10.

This cause came on to be heard on the transcript of the record from the District Court of the

trict of Texas, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court, that the judgment of the said District Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

Miles Sells administrator of John K. Elgin. Plaintiff in Error

vs.

63. Oliver Lovell.

In error to the Circuit Court of the United States for the Districts of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri, and was argued by counsel. On consideration whereof the court being equally divided in opinion. It is now here ordered by

the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

By a divided Court.

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64 Ethan Allen
Appellant
vs.
Rollin White et al

The Chief Justice announced that this case is ordered by the Court to be re-argued at the next term of this Court.

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71 Joseph C Willard
Appellant
vs.
Benjamin Ogle Taylor

The argument of this cause was continued by Mr. H. S. Cox and Mr. McPherson of counsel for the appellee and concluded by Mr Poland of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday January 28th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis and
Stephen J. Field

Richard C. Parsons Esquire Marshal
Daniel Ashley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Stanbery it is ordered that D. W. C. Loudon Esquire of Georgetown State of Ohio be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Tuesday January 28th 1868. continued.

	Myra Clark Gaines Appellant vs. F. D. De La Croix et al	Mr Taylor of counsel for the appellees moves the Court for an extension of time in the argument of these cases. Whereupon this Court not being
81		
	Myra Clark Gaines Appellant vs. The City of New Orleans	
82		
	Myra Clark Gaines Appellant vs. Manuel J. Lizardi et al	
83		

now here sufficiently advised of the concerning what order to render in the premises took time to consider.

	Holmes Foundry &c. Appellants vs. The United States	Ordered by the Court that this cause be continued to the next term with
72		

leave to the appellees to make further proof.

Tuesday January 25th 1865 continued.

John Hall & Co Plaintiffs in Error vs. Isaac S. Kirkland	On motion of Mr Stanbery, ordered by the Court that this case

73

be and the same is hereby passed for the present.

Armstrongs Foundry &c. Appellant vs. The United States	The argument of this cause was commenced by Mr H. Marshall of counsel for the appellant and continued by Mr J. Hubley Ashton of counsel for the Appellees.

71

Uriah H. Kellogg et al. Plaintiffs in Error vs. Robert Forsyth	Ordered by the Court that this cause be and the same is hereby continued to the next term.

75

76 The St Louis Steel Foundry
Appellant
vs.
The United States.

The argument of this cause was commenced by Mr Durand of counsel for the appellants, continued by Mr Ashton, and Mr Attorney General Stanbery, of counsel for the appellees and concluded by Mr Durand for the appellant

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79 Mary Brent, Matilda Mason and Mary Brent & Mason and William Wall, Trustees
vs. Plaintiffs in Error
William D. Force

In error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and on the written application of counsel for the plaintiffs in error. It is now here ordered and adjudged by this Court that this writ of error be, and the same is hereby dismissed with costs. Per Mr. Chf. Jus. Chase.

Proclamation being made the Court is adjourned until to-morrow morning at Eleven o'clock.

Wednesday January 29th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis
Stephen J. Field

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf, by Mr. Reverdy Johnson, it is ordered that Peter Thacher Esquire of Rockland, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday January 29th 1868 continued.

301.	Samuel Knight Plaintiff in Error; vs. The Pittsburg Ft Wayne and Chicago R. R. Co.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Knox of counsel for the plaintiffs in error and by Mr McKnight of counsel for the defendant in error.

74	Armstrongs Foundry &c. Appellants vs. The United States	The argument of this cause was continued by Mr Ashton and Mr Attorney General Stanbery of counsel for the appellees and concluded by Mr Marshall of counsel for the appellant.

77.	James C Savery Appellant vs. Mathias Sypher[illegible] &c	The argument of this cause was commenced

by Mr Ashton of counsel for the appellants, continued by Mr S. Phillips of counsel for the appellees and concluded by Mr Ashton for the appellants.

Lafayette Maynard Pff: in Error vs: The United States	In error to the Circuit Court of the United States for the Northern Dist. of California.

7/8.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute this writ of error, and failing to appear, it is thereupon on the motion of Mr Delos Lake of counsel for the defendant in error, now here ordered and adjudged by this Court that this writ of error

be and the same is hereby dismissed. And that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of California.

per Mr Chf. Jus: Chase.

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80 The Steamer "C. Vanderbilt" & Appellants vs. Robert H. McKibben | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Jones of counsel for the appellants and by Mr Nash of counsel for the appellees.

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81 Myra Clark Gaines, Appellt. vs. F. De La Croix et al
82 Same " " City of New Orleans et al
83 Same " " M. J. Lizardi et al

Ordered by the Court that six hours be allowed counsel each side, in the argument of these cases.

Proclamation being made, the Court is adjourned until to-morrow morning at Eleven o'clock.

Thursday January 30th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices.
Samuel F. Miller
David Davis and
Stephen J. Field.

Richard C. Parsons Esquire Marshal.
Samuel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. S. Henderson it is ordered that John S. Sanborn Esquire of St. Paul State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Myra Clark Gaines.

81 Appellant. vs. T. De La Conical.
82 Same " " City of New Orleans al.
83 Same " " M. J. Fizzardé al.

The argument of these cases was commenced by Mr Cushing of counsel for the Appellant and continued by Mr McConnell of counsel for the Appellees.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Friday January 31st 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Saymuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field.

} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Hesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. S. Black it is ordered that I. D. Bateman Esquire of New York City, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Edward Carrington it is ordered that C. S. Bundy Esquire of Washington City District of Columbia, be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

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253. John Maguire Plaintiff in Error. vs. Mary L. Tyler et al.

The argument of the motion to dismiss this writ of error was commenced by Mr Hill in support of the same, continued by Mr Glover and Mr Ewing Sr. in opposition thereto and concluded by Mr Hill in favor of the motion. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Ex parte:
William H. McCrae
Appellant.

3811.

The argument of the motion to dismiss the appeal was commenced by Mr Hughes in support of the same, continued by Mr Black in opposition thereto.

Further argument postponed to Friday next.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock. -

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Monday February 3rd 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present -

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal.
David Ritchie Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Stanbery it is ordered that George K. Edge Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Caleb Cushing it is ordered that K. D. Stone Esquire of New Orleans State of Louisiana and Joshua Stark Esquire, of Milwaukie State of Wisconsin be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Thomas Nelson it is ordered that George L. Clark Esquire of Plattsburgh, State of New-York be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr R. T. Merrick it is ordered that Philip A. Hoyne and Joshua L. Marsh, Esquires, of Chicago State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were

	Wittenbrug & Doyle Appellants	On motion of the Attorney Gen-
112.	vs.	eral U.S. Ordered
	The United States	by the Court that
	and	these cases be
	Gruff and Jones	argued with
	Appellants.	No. 104 when
246.	vs.	that case is
	The United States.	reached in the
		regular call of the docket

81 Myra Clark Gaines Appeal fr. U.S. Dist. Ct. La. Original.
82 Same " " City of New Orleans et al.
83 Same " " Numa J. Lazarde et al.

The argument of these cases was continued by Mr. McConnell and Mr. Taylor of counsel for the appellees.

Proclamation being made, the Court is adjourned until to-morrow morning at eleven o'clock.

Tuesday February 4th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Associate Justices

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field.

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

The United States, Plaintiffs
vs.
Isaac N. Cook.

No. 102.

On motion of Attorney General Stanbery it is ordered that the case be argued immediately after the Milwaukee Railroad cases No. 143 &c.

Tuesday February 14th 1865 Continued.

81 Myra Clark Gaines. Appellt vs. F. De La Croix &al.
82 Same " " The City of New Orleans &al.
83 Same " " M F. J. Lizardi &al.

The argument of these cases was continued by Mr Taylor of counsel for the appellees - and concluded by Mr Cushing of counsel for the appellant.

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55. Frederick S. Sands &al. Appellants. vs. The Milwaukee & Minnesota Railroad Company.

The argument of this cause was commenced by Mr Curry of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday February 5th 1868.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chf. Justice.
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
} Associate Justices

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

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344 The Society for Savings. Plff. in Err. vs. Gabriel W. Coite, Treas. &c.
The Provident Institution &c. . . . . Commonwealth of Mass.
Hamilton Mutl. &c. Co. . . . . Same.
It is now here ordered by the Court that these cases be set down for argument on Tuesday the 15th instant.

William Crawshay Val. Appellants. vs.
1114 James T. Brattan et al.

On motion of the respective counsel -

Thursday February 5th 1863. Continued -

415.	and Francis Vose Appellant vs. James T. Soulter et al.	ordered by the Court that these cases be argued with No. 263 as one cause when No 263 is reached at the time now assigned

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55	Francis P. James et al. Appellant vs. The Milwaukee & Minnesota R. R. Company.	The argument of this cause was continued by Mr Cary of counsel for the appellants and by Mr Cushing and Mr Stark of counsel for the appellees and concluded by Mr Carlisle for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 6th 1868

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice,

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field. } Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr John H. Cary, it is ordered that Samuel B. Axtell Esquire of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

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43 Mil. & St Paul R.R. Co. Appts. vs. James T. Soutter & Co.
62 Same " " Same
161. Same " " Same
218 Jas. T. Soutter & Shipherd Knapp " " Mil & Minn R.R. Co.
219 Mil & Minn R.R. Co. Appt. vs. Mil & St Paul R.R. Co.

The Chief Justice announced that the Court did not desire to hear the counsel for the appellants in the opening of the argument of these cases; but will hear counsel for the appellees (The Milwaukee & Minnesota R.R. Co.) on the following points, viz:
1st On effect of Original mortgage to Soutter and Knapp - as to the rolling stock -
2nd On effect of supplemental mortgage set up in Cross bills - as on the rolling stock.
3rd On right of the Milwaukee and Minnesota Company to compensation for use of the rolling stock under decrees heretofore made, or under the mortgages.

113 Mil & St Paul R.R. Co. Appeal vs. Jas. T. Soulle &c.
62 Same " " Same
161 Same " " Same
211 Jas T. Soulle & S. Knapp " " Mil & Minn R.R. Co.
219 Mil & Minn R.R. Co. " " Mil & St Paul R.R. Co.

These cases were argued on the points specified by the Court, by Mr Clark and Mr Cushing of counsel for the Milwaukee & Minnesota Railroad Company and by Mr Cary of counsel for the Milwaukee and St Paul Railroad Company.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Friday February 7th 1868.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis, and
Stephen J. Field

} Associate Justices

Richard C. Parsons, Esquire Marshal
Daniel Henry Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Stanbery, it is ordered that John A. Hunter Esquire of Lancaster State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Lyman Trumbull, it is ordered that Austin Blair Esquire of Jackson State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. S. Black, it is ordered that John K. Valentine Esquire of Philadelphia State of Pennsylvania, be admitted to practice as an attorney, and counsellor of this Court, and he was sworn accordingly.

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256. Francis P. Blair jr. Plff: in Error. vs. John S. Thompson and Stephen Ridgely. And Warren Woodson Plff: in Error. vs.

Mr Blair of counsel submitted to the consideration of the Court, the motions filed by

for the argument of these cases.- Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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326. Robert Sallerson
Plaintiff in Error.
vs:
Emilie de la Ronde, widow and Executrix of Pierre Hoa (dec'd)

Mr Durant of Counsel, filed and submitted

to the consideration of the Court a motion for a writ of mandamus in this case - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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39. The United States
Appellants
vs:
Peter Ernest Swalaburne

On motion of Mr Durant (with the consent of the Attor-

ney General (Mr.) it is ordered by the Court that leave be, and the same is hereby granted to the Clerk to issue the mandate in this case.

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316. Ex parte Wm H. McCardle, Appellant. | The argument of the motion to dismiss this appeal was continued by Mr Sharkey, in opposition to the same, and concluded by Mr Trumbull in support of the motion. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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317. Abel Adams Appellant vs. The United States. | The argument of the motion to strike out the return to the writ of Certiorari in this case was commenced by Mr Attorney General Stanbery in support of the same

Cushing in opposition thereto and concluded by Mr Williams in behalf of the motion - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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208 C. S. Silver Adm[r] &c. Plff in Err. vs. K. J. Todd.
209 Marshall & Silver, adm[r] &c " " " " A. J. Knell.
210 Same " " " " K. J. Todd.

The motion filed by Mr Lander to dismiss these writs of error was argued by him in support of the same. - Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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147. Reuben White
Plaintiff in Error.
vs.
Elijah Cannon

The argument of the motion filed by Mr Sarin to dismiss.

This writ of error was commenced to be argued in support of the same.

The Mayor and Aldermen of the City of Nashville Plaintiff in Error,
vs.
William F. Cooper.

This cause was submitted to the consideration of the Court, on the record and printed argument by the Counsel of counsel for the plaintiffs in error; and by the defendant in error in proper person on the argument for the plaintiff in error under the 20 Rule.

Proclamation being made, the Court is adjourned until Monday next at Eleven o'clock.

Monday February 10th 1868.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present,

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field,

Associate Justices.

Richard C. Parsons, Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

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77. James C. Savory
Appellant
vs.
Maria J. Sypher
admr. of Samuel G. Heine, (deceased)

Appeal from the Circuit Court of the United States for the District of Iowa

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the District of Iowa and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Davis.

Mary Barney Appellant vs. The Mayor & City Council of Baltimore Wm G. Ridgely & ats.	Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States, for the District of Maryland and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed, by this Court, that the decree of the said Circuit

same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree dismissing the bill for want of jurisdiction and without prejudice to plaintiffs' right to bring any suit she may be advised to the proper Court.

Dissenting: Mr. Jus: Clifford } Per Mr. Justice Miller.
" " Chf. " Chase }
" " Jus: Field }

80

The Steamer C. Vanderbilt her tackle &c. The New Jersey Steam Navigation Company. Claimants. Appellants vs: Robert H. M. Kibben

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Southern District of New York, and was argued by counsel. - On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York.

per Mr Justice Clifford.

Samuel Haight
Plaintiff in Error.
vs.
The Pittsburgh, Ft Wayne and Chicago Railroad Company.

In error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

nia, and was argued by counsel -
On consideration whereof - it is now
here ordered and adjudged by this
Court, that the judgment of the
said Circuit Court in this cause
be, and the same is hereby affirmed
with costs, and interest until paid
at the same rate per annum - that
similar judgments bear in the Courts
of the State of Pennsylvania.

per Mr Justice Grier.

The State of Georgia -
Complainant

13 - original of Dec. Term 1866 - 18:
Edwin M Stanton et al

and

The State of Mississippi
Complainant

14 - original of December Term 1866 = 68:
Edwin M. Stanton et al.

Mr Justice Nelson delivered the opinion of the Court in these cases -

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Charles H. West and
Joseph Torrence
61. vs: Plffs: in Error
The City of Aurora

In error to the Circuit Court of the United States for

the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Indiana, and was argued by counsel. On consideration whereof - it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. per Mr Chief Justice Chase.

The Steamship "Adela" & Cargo. James Thatcher, master & Claimant. Appellant. vs. The United States.

Appeal from the District Court of the United States for the Southern District of Florida.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Florida - and

was argued by counsel - On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said District Court in this cause be, and the same is hereby affirmed.

Per Mr Chf. Jus: Chase.

The State of Texas. Complainant vs. George W. White et al. | It is now here ordered by the Court that the motions filed

Original

by Mr Hughes, and Mr Carlisle in this cause be, and the same are hereby overruled and that the points in the respective motions be reserved for further argument at the final hearing of the case.

John Maguire Plaintiff in Error, vs. Mary L. Tyler et al | It is now here ordered by the Court that the motion

253.

filed by Mr Hill to dismiss

this writ of error for want of jurisdiction, be, and the same is hereby overruled, and that the question be reserved for further consideration at the final hearing.

Francis P. Blair Jr. Plaintiff in Error
vs.
John F. Thompson et al and Warren Woodson Plaintiff in Error
vs.
The State of Missouri et al. The Attorney General.

It is now here ordered by the Court that the motions filed by Mr Blair to advance and fix a day for the argument of these cases, be and the same are hereby denied.

The Chief Justice announced to the Bar that the Court will adjourn the present term on the first Monday of April next.

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420. The Schooner Isabel (alias Annabelle) Appellants vs. The United States

Mr Attorney General Stanbery of counsel for the Appellees

Having filed and read in open court the following certificate to wit:

"United States of America
District Court of the United States,
Southern District of Florida -

The United States, vs. The Schooner Isabel alias the Annabelle & cargo } Prize.

* * * * * * * *

Whereupon the claimant gives notice of an appeal from the foregoing decree to the Circuit Court of the United States for the Southern District of Florida.

Afterwards to wit, on the 6th day of March in the said year the claimant having deposited five hundred and fifty dollars in the registry of the Court as security

for costs on appeal, it is ordered that said appeal be accordingly allowed..

I, James W. Locke, Clerk of the District Court of the United States for the Southern District of Florida, do hereby certify that the foregoing document, hereunto annexed, is a correct transcript of such part of the record of this Court in the case of The United States vs. The Schooner Isabel (alias the Annabelle) and cargo, in matter of Prize as refers to the asking of an appeal by George Wigg, Claimant from the decree of condemnation, to the Circuit Court of the United States for said District and the order made and entered on the sixth day of March A.D. 1863. granting such appeal.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at Key West, in said District, this ninth day of

Seal

December A. D. 1867.

James W. Locke
Clerk.

United States of America.
Circuit Court of the United States
Southern District of Florida.

The United States et al
Captors
vs.
The British Schooner "Isaac" & Cargo. } Prize
Stipulation

It is hereby stipulated and agreed by and between Homer G. Plantz, Attorney for the U. S. representing the libellants and J. R. Beckwith Proctor for the claimants, in the above entitled cause that the record in said Court be transmitted to the Supreme Court of the United States, and that said cause be placed upon the docket of the Supreme Court and that proceedings be had therein in said Supreme Court, the same as if said cause had been appealed directly from the District Court to the said Supreme Court -

Both of said stipulators hereby granting their consent thereto, and hereby waiving any and all errors, and irregularities arising from removing said cause in accordance with this stipulation.

(Sd) Homer G. Plantz,
Attorney for the United States.
(Sd) J. R. Rockwell
Claimants Proct.

Circuit Court United States.
Southern District Florida.
May Term, Monday, May 7th 1866.

By consent of all parties in interest in this cause - It is ordered that this cause be transferred from this Court to the Supreme Court of the United States.

Entered May 7th 1866.
(Sd) William S. Allen
Clerk.

I James M. Locke, Clerk of the Circuit Court of the United States for

hereby certify that the foregoing is a true and correct copy of a stipulation filed in the cause of.

The United States.
vs:
The Schooner "Isabel, (alias The Annabella & Cargo)
} D. Rigs.

appealed from the District Court for said District together with the order transferring said cause to the Supreme Court of the United States. In testimony, I have affix my name and the Seal of said Court, this 11th day of December A.D. 1867. Jas. W. Locke Clerk C.

Seal

The Attorney General also filed and read the following.

Supreme Court of the United States of America.

The United States
vs
The Schooner Isabel & Cargo. George Wigg, Claimant and Appellant
} In admiralty

To the Clerk of the Supreme Court of the United States.

Please take notice that I. George Wigg, Claimant, and Appellant, in the above entitled case do abandon and withdraw the appeal taken by me from the decree of the District Court of the United States for the Southern District of Florida therein and request that an order dismissing said appeal be made, according to the statutes in such case made and provided.

Dated - New Orleans February 14th 1868. } George Wigg.

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal - Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the appeal from the Circuit Court

of the United States, for the Southern District of Florida, be and the same is hereby dockted and dismissed, and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

per Mr. Chf. Jus. Chase.

The Mil. and Minn R. R. Company, vs. Appellants
172 James T. Soutter &c.

Alexander Fleming vs Appellant
173 James T. Soutter &c.

And

The Mil. and Minn R.R. Co. vs. Appels
230 James T. Soutter &c.

These cases were argued by Mr Cushing and Mr Starkweather for the Appellants and by Mr Carey and Mr Carlisle of counsel for the appellees.

The Milwaukee and Minnesota Railroad Co.
Appellants.
231. vs.
Frederick P. James

The Milwaukee and Minnesota Railroad Co.
Appellants
232. vs.
Frederick P. James
and
The Milwaukee & Minnesota Railroad Company
Appellant
233. vs.
Frederick P. James.

The argument of these cases was commenced by Mr Stark of counsel for the appellants, and continued by Mr Cary and Mr Carlisle of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday, February 11th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.
Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis and
Stephen J. Field

Richard C. Parsons Esquire, Marshal.
Daniel Kerby Middleton, Clerk.

Proclamation being made the Court is opened.

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231. The Mil. & Minn. R.R. Co. Appels. vs. Frederick L. James
232. Same " " Same
233. Same " " Same

The argument of these cases was concluded by Mr Cushing of counsel for the appellants.

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220 The Mil. & Minn. R.R. Co. Appels. vs. S. Chamberlain.
221 " St Paul " " Mil. & Minn. R.R. Co.

The argument of these cases was commenced by Mr Cushing of counsel for the appellants in No 220 and for the appellees in No 221, continued by Mr Cary and Mr Carlisle for the appellees in No 220, and for the appellants in No 221, and concluded by Mr Cushing for the Appellants in No 220, and for the appellees in No 221.

Francis Rose, Appt: vs: Greene & Brown et al.
William Crawshay et al Appts: vs: Jas. F. Soutter et al.
Francis Rose et al " " Jas. F. Soutter et al.
The argument of these cases was commenced by Mr Ryan of counsel for the appellants.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday February 12th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Kesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr E. G. Ryan, it is ordered that Harrison C. Hobart Esquire of Milwaukee State of Wisconsin be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Wednesday February 12th 1868. Cont'd

Harrison Thomson Appellant 44. vs: The Central Ohio Railroad Co. et al	On motion of Mr Hunter of counsel for the appellee - with the consent of Mr Carlisle of counsel for the appellant - it is now here ordered by the Court, that leave be, and the same is hereby granted the Clerk, to issue the mandate in this case.

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263 Francis Vose - Appel: vs: Grane & Brown et al.
414 William Crawshay et al " " James J. Souther et al.
415 Francis Vose et al " " James J. Souther et al.
The argument of these cases was commenced by Mr Ryan of counsel for the appellants, by Mr Cary and Mr Carlisle of counsel for the appellees, and concluded by Mr Ryan for the appellants.

The United States 102. vs: Plaintiffs Isaac N. Cook	The argument of this cause was commenced by Mr Ashton of counsel for the plaintiffs.

Proclamation being made the Court is adjourn-

Thursday February 13th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field

Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

	The United States Plaintiffs	The argument of this cause was continued
112.	vs.	by Mr Hunter
	Isaac N. Cook	of counsel for

the defendant and concluded by Mr Attorney General Stanbery of counsel for the plaintiffs —

The Aetna Insurance Co. Plaintiffs in Error. vs. Samuel D. Wesler.	The argument of this cause was com-

874.

menced by Mr Hibbard of counsel for the plaintiff in error - continued by Mr Wells of counsel for the defendant in Error; and concluded by Mr. Hibbard for the plaintiff in error.

Williamina D. Williamson &c. Plaintiffs in Error. vs. James H. Suydam	The argument of this cause was com-

6

menced by Mr D. D. Field of counsel for the plaintiffs in error

Mr Justice Field having been of counsel did not sit in the argument of this case

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Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock

Friday February 14th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field

Associate Justices.

Richard C. Parsons, Esquire, Marshal.
Daniel Henry Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr J. Hawley Ashton, it is ordered that John T. Harper Esquire, of El Paso, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Reuben Thule Plaintiff in Error vs. Elijah Cannon	The argument of the motion to dismiss this writ of error was continued

by Mr Hughes in opposition to the same, and concluded by Mr Jamin in favor of the motion. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Warren Woodson Plaintiff in Error, vs. State of Missouri exrel. The Attorney General.	The motion to dismiss this writ of error filed by Mr Drake

was argued by him, in support of the same, and by Mr Dick in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

272. The United States, Appts. vs. Theodore Adams,
343. do. do. do. " " Simon Stevens
340 do. do. do. " " John E Reeside
341 John E Reeside " - United States.
350 The United States) " " Benj: Higdon
342 do do do " " J Smith Spurrier

Mr Solicitor Norton filed and submitted to the consideration of the Court a motion to fix a day for the argument of these cases. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

W. H. Williamson & al. Plaintiffs in Error,
421 vs.
Clement & Moore

The argument of the motion filed by Mr Davies to dismiss this writ of Error was commenced by him in support thereof, continued by Mr. Field in opposition thereto, and concluded by Mr Davies in behalf

not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Mr Justice Field did not sit in this case, having been of counsel.

Ex parte Hamilton Martin and Ex parte Henry E. Gill

The motion filed by Mr Wm G.

M. Davis for leave to docket this cause, and advance the same for argument, at the present term, was argued by him, in support of the same, and by Mr Attorney General Stanbery in opposition thereto.

Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Friday February 14th 1868. contin'd

86.	W. H. Williamson et al. Plaintiffs in Error vs. James H. Suydam	The argument of this cause

was concluded by Mr D. D. Field of counsel for the plaintiffs in error and submitted on printed argument by Mr Ellingwood of counsel for the defendant in error.

Mr Justice Field did not sit in this cause, being of counsel.

Proclamation being made, the Court is adjourned until Monday morning at Eleven o'clock.

Monday January 17th 1865.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Salmon P. Chase Chief Justice
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard H. Carson Esquire Marshal
Samuel Wesley Middleton Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Thomas Ewing Jr it is ordered that Lysander S. Wheat Esquire of Leavenworth State of Kansas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Sidney Bartlett it is ordered that H. Barney

Esquire of Lowell and that Edgar J. Sherman Esquire of Lawrence, State of Massachusetts be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly —

The Providence Rubber Co. Appellant vs. Chas. Goodyear's Exr & al

275

Upon consideration of the motion filed by Mr Curtis to dismiss this appeal - It is now hereordered by the Court that this motion be, and the same is hereby overruled.

The Providence Rubber Co. Appellants vs. Chas Goodyear's Exr & al

275

On consideration of the motion filed by Mr Cushing for a reduction of the bond given in this cause. It is now here ordered by the Court

that the Appellants have leave to withdraw the appeal bond now on file upon filing a bond in lieu thereof in the sum of $25,000 with good and sufficient sureties to be approved by the Clerk of this Court.

Ex parte: Wm H. McCardle, Appellant: | On consideration of the motion filed by Mr Hughes and Mr Jimmeus to dismiss this appeal and of the arguments of counsel thereupon had, as well for as against the same - It is now here ordered by the Court that the said motion be, and the same is hereby overruled.

380.

Ex parte Hamilton Martin and Ex parte Henry E Gill | On consideration of the motion filed by Mr Davis for leave

272 The United States, Appellants: vs: Theodore Adams
343. " " " " " Simon Sarin
340 " " " " " John E Reeside
341. John E Reeside " " The U States,
350. The United States " " Benj: Higdon
342. The United States " " J Smith Speed.

On consideration of the motion filed by Mr Solicitor Norton to fix a day for the argument of these cases - It is now here ordered by the Court that said motion be, and the same is hereby overruled -

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The State of Texas
Complainant
No 6. Orig. vs.
George W. White et al

Upon consideration of the motion for leave to take testimony

it is ordered by the Court, that leave be given to the several parties to this cause to take depositions until the first day of October 1868. but such depositions must be taken in general conformity with Rule 67. of the

Equity of the United States, and filed with the Clerk, on or before the 10th day of the said month, and upon filing the depositions, the Clerk shall make publication thereof, and cause the same to be printed; and either party after said 10th day of October 1868. may set the cause for hearing.

per Mr Chf: Justice Chase -

Abel Stearns
vs: Appl:
The United States

39.

Ordered by the Court (on motion of Attorney General Stanbery) that an additional hour be allowed the counsel for the appellants, and the appellees in the argument of this case -

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Abel Stearns -
Appellant
vs:
The United States

39

The argument of this cause was commenced by Mr Cushing of counsel for the appellants and continued by Mr Attorney General Stanbery of counsel for the appellees -

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Proclamation being made, the

Tuesday February 18th 1868.

Pursuant to adjournment the Court met this morning at the Capitol -

Present.

The Honorable Salmon P. Chase, Chief Justice.

Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field

Associate Justices

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Sidney Bartlett it is ordered that Charles Allen Esquire, of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Caleb Cushing it is ordered that John Baker Esquire of Belleville, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Abel Sturms,
Appellant
39. vs.
The United States

The argument of this cause was continued by Mr Attorney General Stanbery and Mr Williams of counsel for the appellees, and by Mr Carlisle of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday February 19th 1868.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present,

The Honorable Salmon P. Chase Chief Justice
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Associate Justices

Richard C. Parsons Esquire, Marshal
David Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

Abel Steams
Appellant
vs.
The United States
39.

The argument of this cause was concluded by Mr Carlisle of counsel for the appellants.

Wednesday February 19th 1868 Cont'd

William H. Crandall. Plaintiff in Error. vs. The State of Nevada	This cause was argued by Mr P. Phillips of counsel for the defendant in Error - No counsel appearing for the plaintiff in error.

85

John Doe et al. John A. Poor et al - Plaintiffs in Err, vs. Patrick Considine	The argument of this cause was commenced by Mr Hunter of counsel for the plaintiffs in error.

87

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday February 20th 186

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase C. J.

Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field

Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that John Randolph Quinn Esquire, of Baltimore State of Maryland be admitted to practice as an attorney and counsellor of this Court and he was sworn

On motion first made to the Court in this behalf by Mr James K. Doolittle it is ordered that E. H. Ellis Esquire of Green Bay State of Wisconsin be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr F. J. Helsinghuysen, it is ordered that John M. Taylor Esquire of New Ark State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

87

John Doe ex dem.
John A. Poor et al.
Plffs: in Err.
vs:
Patrick Considine et al

The argument of this cause was continued by Mr Hunter of counsel for the plaintiffs in error & by Mr Stanbery & Mr Lincoln of Counsel for the defts: in error.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday February 21st 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons, Esquire. Marshal,
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr F. Chamberlain, it is ordered that Allen Fenny Esq. of Norwich State of Connecticut be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr M. H. Carpenter

it is ordered that J. E Mesmore Esquire, of La Crosse, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr James M. Carlisle it is ordered that John Hall Thule Esquire, of Albion State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Charles Fitz-
Appellant:
50 vs:
The Galliot "Amelie"
and
Abby R. Loring et al
Appellants
51. vs:
Levi H. Marsh et al

On motion of Mr S. Bartlett. ordered that leave be, and the same is hereby granted the Clerk to issue the mandates

261.	The Steamboat "Vicion" &c. Plaintiffs in Error vs. Thomas Boylan et al.	The argument of the motion to dismiss

this writ of error was commenced by Mr Wells in support of the same, continued by Mr Dick in opposition thereto, and concluded by Mr Wells, in behalf of the motion. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider -

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153.	Napoleon B. Gill, Plaintiff in Err. vs. Jane G. W. Fenwick	In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and on the motion

plaintiff in error, it is now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

John Doe ex dem
John A. Poor et al.
Plffs: in Err.
vs.
Patrick Considine et al.

The argument of this cause was continued by Mr Lincoln of counsel for the defendant in error, and concluded by Mr Ewing Senior of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday February 24th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chf. Jus.
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

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287. The United States, Plaintiffs. / Julius F. Hartwell | On a certificate of Division in opinion between the Judges of the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard

from the Circuit Court of the United States for the District of Massachusetts and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel - On consideration whereof, it is the opinion of this Court that the first point certified must be answered in the affirmative and the second point certified in the negative. Whereupon it is now here ordered, adjudged and decreed by this Court, that it be so certified to the said Circuit Court.

Per Mr Jus. Swayne.

Dissenting:
Mr Justice Miller.
" " Grier
" " Field

The United States Plaintiffs vs: Isaac N. Cook.	On a certificate of division in opinion between the

102.

Judges of the Circuit Court of the United States, for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made, and provided and was argued by counsel. - On consideration whereof - it is the opinion of this Court, that the first and third points certified must be answered in the affirmative - [illegible] point

must be answered that the indictment is sufficient - and that to the fourth point certified, no answer is deemed necessary no such question arising upon the indictment - Whereupon it is now here ordered, adjudged and decreed by this Court, that it be so certified to the said Circuit Court.

Per Mr. Justice Swayne.

James Millinger Plaintiff in Error vs. Andrew Hartupee		In error to the Supreme Court of the State of Penna.

305

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on the motion of Mr Wilson of counsel for the defendant in error to dismiss this writ of error for the want of jurisdiction and was argued by coun-

now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chf. Justice Chase.

A. L. Marshall and C. S. Silver, administrators &c. of Finice Caulkins, dec'd, Plaintiffs in Err.	In error to the Supreme Court of the State
209. vs.	
Andrew J. Knoll	

of Oregon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and on the motion of Mr Lander of counsel for the defendant in error to dismiss this writ of error for the want of jurisdiction, and was argued by counsel - On consideration whereof, It is now here ordered and

writ of error be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chf Jus: Chase.

C S Silver admr &c of Thos Carruthers (dec'd) pltff in Error
vs.
Robert J. Ladd et al
and
A. L. Marshall, admr &c of T. Carruthers, deceased. pltff in Error
vs.
Robert J. Ladd.

No 208 / 210.

Mr Justice Clifford dissenting from the views expressed by the Court on the second ground assumed in favor of dismissing the writs of error

Upon consideration of the motions filed by Mr Landeo of counsel for the defendants in error to dismiss those writs of error &c is now here ordered by the Court that said motions be and the same are hereby overruled.

per Mr Chf Jus: Chase.

Emil Grisar.
vs.
Thos McDowell

184. pltff in Error

The argument of this cause was commenced by Mr Fushing of counsel for the plaintiff in error, and continued by Mr Lake of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday February 25th 1868.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase. Chf. Justice.

Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

Ennis Grisar
Plff. in Error
vs.
1874. Irwin McDowell.

The argument of this cause was continued by Mr Lake and Mr Attorney Genl. Stanbery of counsel for the dft. in Error

(Further argument of this cause postponed until Monday next)

Proclamation being made the Court is adjourned

Thursday February 26th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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34. The Society for Savings Plaintiff in Err. vs. Gabriel H. Coite Treas. &c. } The argument of this cause was commenced by Mr Chamberlain of counsel for the plaintiff in error, continued by Mr Hubbard of counsel for the defen-

by Mr Chamberlain for the plaintiff in Error.

The Provident Institution for Savings in the Town of Boston. Plaintiff in Err.
vs.
The Commonwealth of Massachusetts.

226.

The argument of this cause was commenced by Mr Bonney of counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until to-morrow morning at Eleven o'clock.

Thursday February 27th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis and
Stephen J. Field

Richard C. Parsons, Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr Sidney Bartlett, it is ordered that Effingham H. Nichols, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion [illegible] made to the Court

in this behalf by Attorney Genl. Stanbery it is ordered that J. W. Robinson Esquire of Marysville State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M Carlisle, it is ordered that Horace M Stuggles Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Provident Institution for Savings in the Town of Boston.
Plaintiffs in Error.
226. vs.
The Commonwealth of Massachusetts.

The argument of this cause was continued by Mr Penney of counsel for the plaintiff in error. Mr Allen, Attorney General of Mass-

and in error, and concluded by Mr Sawtell of counsel for the plaintiff in error.

The Hamilton Manufacturing Company.
Plaintiffs in Error.
vs.
239. The Commonwealth of Mass.

The argument of this cause was commenced by Mr Dawes of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday February 28th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J Field
} Associate Justices.

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Ex parte. William H. McCardle Appellant

380

Mr Carpenter

of counsel moved the Court for an extension of time, in the argument of this cause. Whereupon this Court not being now here sufficiently advised of and concerning what order to

Ex rel National Banking Association
406. vs Plaintiffs in Error
Hoffman et al.

Ex rel. The Bank of New York
407. vs. Plaintiff in Error
Hoffman et al.

Mr Attorney General Stanbery moved the Court to fix a day certain for the argument of these cases at the present term. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

John B. McClane
Pltff in Error.
332 vs.
John D. Boone

Mr Lander of counsel for the plaintiff in error filed a suggestion of the death of John D. Boone the defendant in error in this cause and moved the Court for such order in the premises, as may seem fit &

being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Matthew Tonner Executor &c. - 429. vs. Appellant The United States.

On motion of Mr Coombs leave granted the appellant to file and docket the transcript of the record on appeal from the Court of Claims in this cause - (This motion was resisted by Mr Stanton the solicitor for the United States.)

The State of Georgia Complainant No. 11 Original - vs. U. S. Grant et al.

The argument of the motion for leave to file the Bill in this cause - postponed on motion of Mr Carpenter of counsel until Friday next.

The Hamilton Manufacturing Company Plaintiff in Error. vs. The Commonwealth of Massachusetts	The argument of this cause was continued by Mr Dawes of counsel for the plaintiff in error, by Mr Allen Attorney General of Massachusetts of counsel for the defendant in error, and concluded by Mr Dawes for the plaintiff in error.

239.

Charles Eddy & Jacob Shaw Appellants vs. John A. Billings and F. R. Stow.	This cause was argued by Mr Ruggles of counsel for the appellees and by Mr Norton of counsel for the appellants.

36.

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock.

Monday March 2nd 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne Associate
Samuel F. Miller Justices
David Davis and
Stephen J. Field.

Richard C. Parsons Esq. Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Caleb Cushing, it is ordered that Oliver P. Billings Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn ac-
cordingly.

On motion first made to the Court in this behalf by Mr Attorney General Stanbery it is ordered that John B. Baldwin Esquire of Staunton State of Virginia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

John B. McClure Plaintiff in Error vs. John D. Soon	Ordered by the Court that notice be given Mr Williams of the motion filed by Mr Lander on the 28th ultimo in this case and that the said motion be continued until friday next.

382.

Reuben White Plaintiff in Error vs. Elijah Cannon	Upon consideration of the motion filed by Mr Janin to dismiss this writ of error, and of the arguments of counsel thereupon

1117.

had as well for as against the same. It is ordered by the Court that the said motion be, and the same is hereby denied. The question of jurisdiction being reserved for further argument on the final hearing.

Warren Woodson
Plaintiff in Error.
vs.
The State of Missouri,
& rel. The Attorney General.

Upon consideration of the motion filed by

267

Mr Drake to dismiss this writ of error, and of the arguments of Counsel thereupon had as well for as against the same - it is ordered by the Court that the said motion be and the same is hereby denied. The question of jurisdiction being reserved for further argument on the final hearing.

Robert Patterson
Plaintiff in Error
326 vs.
Emilie de la Ronde
widow & Executrix of
P. Roa (deceased)

On consideration of the motion filed by Mr. Durant of Counsel for the plaintiff in error. It is ordered by the Court that a rule issue to the Judges of the Circuit Court of the United States, for the District of Louisiana requiring them to show cause why the writ of error heretofore allowed and served in this case should not operate as a supersedeas. And it is further ordered. That a supersedeas issue from this Court, requiring the Marshal of the United States for the District of Louisiana to forbear proceeding in execution upon the judgment rendered in said Circuit Court in this cause until after return made to the rule this day allowed and the order of this Court

Mr Justice Clifford - Dissent from the order of the Court in this case because it does not appear that the bond was ever presented to the presiding Justice for his approval.

S. P. Am H. P. Hepburn
Plaintiffs in Err.
89 vs.
Henry A. Griswold
and
Frederick Bronson
Ex. &c. - Plaintiff in Err.
225. vs.
Peter Rodes

Ordered by the Court that these cases stand Continued for re-argument by counsel at bar on the first Tuesday of the next Term of this Court: and that the Attorney General have leave to be heard on the part of the United States.

per Mr. Chf. Jus: Chase.

F. Mandlebaum et al. Plaintiffs in Error.

35 vs.

The People of Nevada &c.

The County of Lane, Plaintiff in Err.

60 vs.

The State of Oregon

John A. McGlynn, Ex. &c.

67 vs. Plaintiff in Error

Emily V. McGraw Executrix &c.

---

and

Joseph C. Willard.

71 vs. Plaintiff in Error.

Benjamin C. Taylor.

Ordered by the Court that these causes stand continued to the next Term, with leave to counsel to reargue the same if they see fit on any question common to them and to Numbers 89. and 225. on the first Tuesday of said Term.

Per Mr. Chf. Jus. Chase.

Error: The Bank of New York &c.
406. vs. Plaintiffs in Error
R. B. Connolly et al.

Error: The Bank of New York.
407 vs. Plaintiff in Error
Board of Supervisors of New York.

and.

Error: The National Broadway Bank.
408. vs. Plaintiff in Error.
John T. Hoffman et al.

Ordered by the Court that these causes be advanced on the docket, and assigned for hearing on the first Tuesday of the next Term to be heard after the several cases already assigned for that day.

per Mr. Chf Jus. Chase.

Emile Grisar
Plaintiff in Error
184 vs.
Irwin McDowell

The argument of this cause was concluded by Mr R. Johnson of

Ex parte. William H. McCardle.
380. Appellant.

On consideration of the motion made by Mr Carpenter, on Friday the 28th ult. February. It is now here ordered by the Court that six hours be allowed the counsel on each side, in the argument of this cause.

Ex parte. William H. McCardle.
380 Appellant.

The argument of this cause was commenced by Mr Black of counsel for the Appellant.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday March 3rd 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons, Esquire Marshal
Daniel Tenley Middleton Clerk.

Proclamation being made, the Court is opened.

---

380 Ex parte. William H. McCardle, Appellant. | The argument

of this cause was continued by Mr Black of counsel for the appellant and by Mr Carpenter of counsel for the respondents.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday March 4th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

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350. Ex parte Wm. McCardle Appellant. | The argument of this cause was continued by Mr Carpenter and Mr Trumbull of counsel for the respondents.

Proclamation being made, the Court is adjourned until tomorrow morning at 11 o'clock.

Thursday March 5th 1868.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field

} Associate Justices

Richard C. Parsons Esquire, Marshal.
Daniel Hesley Middleton, Clerk.

Proclamation being made, the Court is opened.

---

380 Ex parte: William H. McCardle, Appellant. | The argument of this

cause was continued by Mr David Dudley Field of counsel for the appellant.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday March 6th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. D. L. Sharkey, it is ordered that N. Burnell Esq. of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thomas W. Peirce
Appellant
131 vs.
The United States

Mr Cushing of counsel for the appellant filed and submitted to the Court, a motion for leave to strike from the record the evidence certified to this Court by the Court of Claims in this cause. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

Charles Black, Senior, Informant - Appellant.
431. vs.
McCan's Executors - D. C. McCan. Claimant.

Mr Reverdy Johnson of Counsel for the Appellee

having filed, and read in open Court the following certificate, to wit:

"Circuit Court of the United States

I Dominick Urban, Clerk of the Circuit Court of the United States for the fifth Circuit and District of Louisiana do hereby certify that in the case of the United States vs. McCans Foundry No. 3578. D.C. McCan Claimant, a judgment was ordered on the fifth day of May 1866, (on the application of the United States District Attorney) dismissing the libel and ordering the property seized to be restored to the defendant and that on the 19th day of June 1867. an appeal to the Supreme Court of the United States was allowed to Charles Slack Jr. the informant, returnable on the first Monday of December 1867.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at New Orleans this 26th day of February A.D. 1868.

Seal

5 Cent Stamps

D. Urban
Clerk

and having stated that the appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal - Now here moved the Court in pursuance of the 9th Rule of this Court to have this appeal docketed and dismissed - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of Louisiana be and the same is hereby docketed and dismissed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to the said Circuit Court for further proceedings to be had therein in conformity to law and justice, the said appeal notwithstanding.

Per Mr Justice Nelson

John P. McClure Plaintiff in Error vs. John L. Boon	The motion filed by Mr. Lander in this cause on a prior

239.

day of the present term to wit: February 28th was argued by him in support of the same, and by Mr. George H. Williams in opposition thereto. Thereupon this Court not being sufficiently advised of, and concerning what order to render in the premises took time to consider.

Samuel H. Randall Plaintiff in Error vs. Lincoln F. Brigham	The motion filed by Mr Randall the plaintiff in error in this

240.

cause to advance the day for argument was argued by him in support of the same. On consideration whereof it is now here ordered by the Court, that said motion be, and the same is hereby denied.

by Mr Justice Nelson

Samuel Kaiser et al
Plaintiff in Error.
393. vs.
Ira P. Wilmore
and
Samuel Kaiser et al
394. vs.
Levitt C Douglass

The motions filed to dismiss these writs of error (by Mr Goudy) were submitted to the consideration of the Court on stipulations and printed arguments by Mr Goudy in behalf of the motions, & by Mr Peck, in opposition thereto. Whereupon this Court, not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Augustus H. Walker
Plaintiffs in Error
328. vs.
Etienne Villaraie

The argument of the motion to dismiss this cause was commenced by Mr Janin in favor of the same, continued

by Mr Durand in opposition thereto, and concluded by Mr Janin in favor of the motion. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

Sebastian Reichert Plaintiff in Error, vs. Michael Stephal	The argument of this cause was commenced by Mr John Baker of counsel for the plaintiff in error continued by Mr Trumbull of counsel for the defendant in error and concluded by Mr Parker for the plaintiff in error.

88.

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock.

Monday, March 9th 1868.

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons, Esquire, Marshal,
Daniel Hesry Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr H. L. Sharkey, it is ordered that Henry Sayer Esquire, of Alexandria, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr G. H. Pashal, it is ordered that James L. Alcorn Esquire of Friars Point State of Mississippi, and John King Esquire of Fort Smith State of Arkansas be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

The Chief Justice announced the adoption of the following rule.

Rule No. 32.

Supersedeas bonds in the Circuit Courts must be taken with good and sufficient security, that the plaintiff in error or appellant shall prosecute his writ or appeal to effect, and answer all damages and costs, if he fail to make his plea good. - Such indemnity where the judgment or decree is for the recovery of money, not otherwise secured, must be for the whole amount of the judgment or decree, including cost

damages for delay" and costs and interest on the appeal, but in all suits where the property in controversy necessarily follows the event of the suit, as in real actions, replevin, and in suits on mortgages, or where the property is in the custody of the Marshal under admiralty process as in case of capture or seizure, or where the proceeds thereof, or a bond for the value thereof, is in the custody or control of the Court, indemnity in all such cases is only required in an amount sufficient to secure the sum recovered for the use or detention of the property and the costs of the suit "and just damages for delay" and costs and interest on the appeal.

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263. Francis Vose vs. James F. Scutter and Stephen Knapp Surviving Trustees &c. Appellant

Appeal from the Circuit Court of the United States for the Dis

trict of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel - On consideration whereof. It is now here ordered adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis

William Crawshay and Orrin Cobb, on behalf of themselves, and Francis Case.

Appellants

411 vs.

James T. Souter and Shepherd Knapp Surviving Trustees

Appeal from the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on

the Circuit Court of the United States, for the District of Wisconsin and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Davis.

Francis Vose
Appellant
vs:
James T. Soutter and Shepherd Knapp
Surviving Trustees -

Appeal from the Circuit Court of the United States for the District of Wisconsin.

411

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that

the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Davis.

	Abel Stearns, Claimant	Appeal from the District Court of the United States for the Southern District of California.
39.	vs. Appellant	
	The United States	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said District Court in this cause be, and the same is hereby affirmed. And that this cause be, and the same is hereby remanded to the District Court of the United States for the District of California.

70 Sucher Mauran 2nd Plaintiff in Error vs. The Atlantic Insurance Co. | In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court be, and the same is hereby affirmed with costs. Dissenting: Mr Justice Nelson. Mr Chief Justice Chase, Mr Justice Swayne

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162 Sucher Mauran, 2nd Plaintiff in Error, vs. The Mercantile Marine Insurance Company | In error to the Circuit Court of the United States for the East of

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel - On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Dissenting: Jus Mr Jus. Nelson
Mr C.J. Jus. Chase,
" Jus. Swayne.

Suchet Mauran 2nd
Plaintiff in Error
vs.
The Equitable Safety
Insurance Company.

163

In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the District of Massachusetts, and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be and the same is hereby affirmed with costs.

Dissenting: per Mr Jus: Nelson
Mr Ch: Just: Chase
Justice Swayne

Suchet Mauran 2nd
Plaintiff in Error
vs:
The Washington Insurance Company.

1164

In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Massachusetts, and was argued by counsel. On consider-

ation whereof. It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

Dissenting: Per Mr Justice Nelson.
Mr Chief Justice Chase.
" Justice Swayne.

Sucket Maurice 2nd	Plaintiff in Error,	In error to the Circuit Court of the United States for the Dis-
165	vs:	
The Boston Insurance Company.		

trict of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Massachusetts, and was argued by counsel - On consideration whereof. It is now here ordered and adjudged by this Court, that the

judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs -

Dissenting Mr Chf Jus: Chase, " " Swayne } per Mr Jus. Nelson,

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John B. McChane
Plaintiff in Error
vs.
John D. Boon

In error to the Supreme Court of the State of Oregon.

332

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and on the motion filed by Mr Lauder of counsel for the plaintiff in Error, and was argued by counsel - On consideration whereof - It is now here ordered and adjudged by this Court, that this writ of error be and the same is hereby dismissed with costs.

per Mr Jus Nelson

Thomas H. Peirce 131 vs. Appellant The United States.	On consideration of the motion filed by Mr Cushing of

Counsel for the Appellant to strike out certain portions of the transcript of the record, in this cause - It is now here ordered by the Court, that the Clerk of this Court, strike from the record in this cause, all the evidence certified to this Court, by the Court of Claims, under its order of 21st June 1866.

Per Mr Jus. Nelson.

The State of Georgia Complainant No. 11. Original vs. U. S. Grant et al.	The Chief Justice announced the opinion of the Court

on motion for leave to file bill in this cause.

Order of Court.

Ordered - That no arguments be

the thirty first day of March except to conclude the hearing of a cause the argument of which may have previously commenced.

Ex parte Wm H. McCardle Appellant | The argument of this

380 cause was conducted by Mr David Dudley Field of counsel for the Appellant.

Charles R. Wales, Plaintiff in Error vs. | This cause was argued

90. John F. Parrill and al. | by Mr F. H. Thomas of counsel for the defendants in error and submitted on the record and printed argument by Mr Trent of counsel for the plaintiff in error.

The City of Aurora Plaintiff in Error | Ordered by the Court that this

91. vs.

and the same is hereby continued to the next term.

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92. John Edmonson et al. Appellants. vs. Adam Bloomshire et al

Ordered by the Court that this cause be and the same is hereby continued to the next term.

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93. The United States Ex rel. David S. Moses Plaintiff in Err. vs. The City Council of Kentucky et al

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Stowell of counsel for the plaintiff in error.

The United States
ex rel: J. Edgar Thomson.
Plaintiff in Error
95 vs:
The Cdij. Council of
Keokuk Iowa - et al

This cause was submitted to the consideration of the Court, on the record, and printed arguments by Mr Howell of counsel for the plaintiff in error, and by Mr Strong of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven O'clock.

Tuesday March 10th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Samuel Nelson,
Robert C. Grier,
Nathan Clifford,
Noah H. Swayne,
Samuel F. Miller,
David Davis,
Stephen J. Field,
} Associate Justices

Richard C. Parsons Esquire Marshal,
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

The State of Maryland on the relation of Thomas Anderson - Plff: in Error,
vs.
96. John W. Baker, George Ernest, and Julian Magruder.

In error to the Court of Appeals of the State of Maryland

This cause came on to be heard on

the Court of Appeals of the State of Maryland, and on the motion of Mr Brent of counsel for the plaintiff in Error - It is now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed at the costs of the defendants in error.

per Mr. Justice Nelson.

Henry F. Turton
Plaintiff in Error
vs:
John L. Gupfiff.

97

The argument of this cause was commenced by Mr Samuel L. Phillips of counsel for the plaintiff in error, continued by Mr Bradley of counsel for the defendant in error, and concluded by Mr Brent of counsel for the plaintiff in Error.

The South Fork Canal Company. Apts Plaints
vs.
vs. George Gordon

The argument of this cause was commenced by Mr Wells of counsel for the appellants, and continued by Mr Batts of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday March 11th 1868

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis 2nd
Stephen J. Field

} Associate Justices

Richard C Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

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98. The South Fork Canal Company. Appellant vs. George Gordon

The argument of this cause was continued by Mr Sells, of counsel for the appellee and concluded by Mr Wells for the appellant.

Jacob Tome et al.,
Plaintiffs in Error,
vs.
99. John Du Bois et al

The argument of this cause was commenced by Mr. G. H. Williams of counsel for the plaintiffs in error continued by Mr I. Newell Steele of counsel for the defendants in error and concluded by Mr Williams for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock

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Thursday March 12th 1863

Pursuant to adjournment the Court met this morning at the Capitol,

Present

The Honorable Salmon P. Chase, Chief Justice,

Samuel Nelson
Robert C. Grier
Nathan Clifford, Associate
Noah H. Swayne, Justices
Samuel F. Miller
David Davis and
Stephen J. Field

Richard C. Parsons Esquire, Marshal,
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Reverdy Johnson it is ordered that Paul Bagley Esquire of Belair State of Maryland be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Benjamin Stark Plaintiff in Error vs. Addison M. Starr et al	The argument of this cause was commenced by Mr Blair of counsel

100

for the plaintiff in error Continued by Mr Wells of counsel for the defendant in Error and concluded by Mr Dick for the plaintiff in Error

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The Steamship Shenandoah and Cargo Appellants vs. The United States.	The argument of this cause was commenced by Mr Purviance of counsel for the appellants.

101

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday March 13th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis and
Stephen J Field
Associate Justices.

Richard C Parsons Esquire Marshal
Daniel Hosey Middleton Clerk.

Proclamation being made the Court is opened.

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117. Amos and J. E Kendall. Appellants vs. The United States

On motion of Mr Carlisle of counsel for the appellants. Ordered by the Court that this cause be, and the same is hereby continued to the next term.

O. S. & A. S. Latham
Appellants.
118. vs.
The United States.

On motion of Mr Carlisle of counsel for the appellants.
Ordered by the Court that this cause be, and the same is hereby continued to the next term.

James A. Stewart
Appellant
236. vs.
The Jackson Insurance Company of Tennessee.

The motion filed to dismiss this appeal was argued by Mr Johnson in opposition thereto and by Mr George William Brown in favor of the motion.

James A. Stewart
Appellant
236 vs.
The Jackson Insurance Company of Memphis, Tenn.

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and on the motion of Mr Brown of counsel for the appellees - It is now here ordered, adjudged and decreed, by this Court, that this appeal be and the same is hereby dismissed with costs.

per Mr Justice Nelson.

	William Clark Appellant vs. The United States	The motion filed for a writ of certiorari in this cause was argued by Mr Hughes in support of the same and by Mr Norton in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.
116.		

The United States Appellants vs. Simeon Hart	The motion for leave to file a plea of pardon in this cause was argued by

192

Mr Leech in support of the same and by Mr Ashton and Mr Stallo in opposition thereto - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Mayor &c of Washington Plaintiffs in Error vs. Charles S. Dennison	The motion for a writ of supersedeas

372

in this cause was argued by Mr Bradley in support of the same and submitted on printed arguments by Mr Davidge and Mr Fendall in opposition thereto Whereupon this Court not being now sufficiently advised of and concerning what

John B. McClane
Plaintiff in Error.
167 of dc. Jan 1866 - vs:
John D. Boon

Mr Jones of counsel for the plaintiff in error

in this cause filed motion and moved the Court for leave to withdraw the transcript of the record of this cause from the files of the Court - On consideration whereof, it is now here ordered by the Court that the plaintiff in error have leave to withdraw the transcript of the record of this cause from the files of this Court, upon his leaving with the Clerk a receipt therefor and which the Clerk is hereby directed to file in the place of, said transcript -

per Mr Justice Nelson.

Ex parte Joseph H Bradley
9 - Original - Petitioner

On motion of Mr Carlisle of counsel, leave granted

dannus in this cause.

Ex parte. Wm H. McGhee
10. Original.- Petitioner

On motion of Mr Grant of counsel, leave granted to file petition for a writ of mandamus in this cause.

Jose Maria Mirio Seiss
Appellants
Y70 of Dec T. 1866 - vs:
The United States

Mr Hadley of counsel files motion to reinstate this cause on the docket.

The State of Ohio
& rel Benjamin R Cowen.
Plaintiffs in Error.
398. vs:
James G Wetmore

The motion filed to dismiss this writ of error, was submitted to the consideration of the Court, on the Record by Mr Riddle in support of the motion and by Mr Hunter

on the record and affidavit in opposition thereto - Whereupon the Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider -

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The State of Georgia Complainant
No 11. Original - vs:
U. S. Grant et al -

Mr Shankey of counsel submitted motion for leave to file Bill in this cause - Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

The Steamship Wren & Cargo Appellants
101 vs!
The United States

The argument of this cause was continued by Mr Pierrepont of counsel for the appellants, and by Mr Ashton

closed by Mr Pierrepont for the appellants.

Asa Hunt and J. H. Eaton et al. Appellants. vs. E. H. Bender et al

103.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr Reddick and Mr Briggs of Counsel for the appellants and by Mr Reynolds of counsel for the appellees.

The U. States, use &c R. R. Crawford Plaintiff in error. vs. Henry Addison et al

104.

The arguments of this cause was commenced by Mr Bird of counsel for the plaintiff in error, and continued by Mr Bradley of counsel for the defendant in error.

Whereupon being made the Court is adjourned un-

Monday, March 16th 1868

Pursuant to adjournment, the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field

} Associate Justices

Richard C. Parsons, Esquire, Marshal.
Daniel Ware, Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion just made to the Court in this behalf by Mr R. M. Corwine, it is ordered that Thomas A. Logan, Esquire of Cincinnati, Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr George H. Williams, it is ordered that William A. Fisher Esquire of Baltimore State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

85

William H. Crandall
Plaintiff in Error
vs.
The State of Nevada

In error to the Supreme Court of the State of Nevada.

This cause came on to be heard on the transcript of the record from the Supreme Court of Nevada and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Su-

preme Court, with direction to discharge the plaintiff in error from custody.

Dissenting. Per Mr Jus Miller.
Mr Chf: Jus: Chase
" Jus: Clifford

The Steamboat "Victory"
Joseph Gray, owner & Claimant
Plaintiff in Error
261. vs.
Thomas Boylan, and
William T. Gilly's.

In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on the motion of Mr Wells of counsel for the defendants in error. It is now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed with costs.

Per Mr. Jus: Miller.

The Mayor & Aldermen of the City of Nashville Plaintiffs in Error
vs.
William F. Cooper

In error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court, that the judgment of the said Circuit court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit court with directions that the cause be reinstated and that the court proceed in it

88	Sebastian Reichart Plaintiff in Error vs. Michael Fleps, Ruth Fleps, Wm L. Fleps Henry T. Fleps David Fleps, and Janet Fleps	In error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by Counsel - On consideration whereof - It is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Jus. Grier.

43	The Milwaukee and St Paul R. R. Co. Appellants vs. James T. Soutter, Guinor &c.	Appeal from the Circuit Court of the United

States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by counsel. On consideration whereof. It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in favor of the Milwaukee and St. Paul Railroad Company.

Dissenting: Mr Justice Miller.

per Mr Jus. Nelson

The Mil & St Paul Railroad Company. Appellants. vs.

Appeal from the Circuit Court of the United

States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in favor of the Milwaukee and St Paul Railroad Company.

Dissenting = = per Mr Jus: Nelson
Mr Jus: Miller

The Mil & St Paul Railroad Company Appellants,
vs.
161. James F Joyce Survivor &

Appeal from the Circuit Court of the

United States. for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel - On consideration whereof, It is now here ordered, adjudged, and decreed by this court, that the decree of the said circuit court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in favor of the Milwaukee and St Paul Railroad Company.

Dissenting: Mr Dus. Miller

Per Mr Justice Nelson.

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218. James T. Soutter and Stephen Knapp, Sureties &c., vs. Appellants. The Mil. & Minn. R.R. Co. | Appeal from the Circuit Court of the United

States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel - On consideration whereof - It is now here ordered, adjudged and decreed by this court, that the decree of the said Circuit court in this cause, be, and the same is hereby affirmed with costs.

per Mr Jns: Nelson.

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219. The Mil & Minn R.R.C. Appellant, vs; The Mil & St Paul R.R.C. | Appeal from the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcripts of the record from the Circuit Court of the United States for the Dis-

trict of Wisconsin and was argued by Counsel - On consideration whereof - It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Chase Ch. J. Grier
Mr Jus. Miller

Per Mr Justice Nelson

The Milwaukee and Minnesota Railroad Company. Appellant.
vs.
Selah Chamberlain

Appeal from the Circuit Court of the United States for the District of Wisconsin -

220

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by counsel - On consideration whereof It is now here

this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Jus: Nelson.

The Mil & St Paul Railroad Company Appellant vs. The Mil & Minn. R.R. Company and Selah Chamberlain

221

Appeal from the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and

the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity to the opinion of this Court.

per Mr Justice Nelson.

The Milwaukee and Minnesota Railroad Company. Appellants.
v.
Frederick P. James.

231

Appeal from the Circuit Court of the United States, for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Wisconsin. and was argued by counsel. On consideration whereof - It is now here ordered, adjudged and decreed by this court, - that the decree of

cause be, and the same is hereby affirmed with costs.

Per Mr Justice Nelson.

The Milwaukee and Minn: Railroad Company
Appellants.
vs.
Frederick P. James

Appeal from the Circuit Court of the United States for the District of Wisconsin.

232

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof - It is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Nelson.

The Milwaukee and Minnesota Railroad Co. Appellants. vs. Frederick S. James	Appeal from the Circuit Court of the United States for the District of Wisconsin.

233.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr Jus: Nelson.

The Mil & Minn. R.R. Co Appellant vs.	Appeal from the Circuit

172

of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit court in this cause, be, and the same is hereby affirmed with costs.

Per Mr Justice Nelson.

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173 Alexander Fleming Appellant vs. James T. Soutter, Survivor &c. | Appeal from the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States, for the District of Wisconsin. and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with Costs.

per Mr Jus: Nelson.

The Mil[wa]ukee Minnesota Railroad Company. Appellant vs: James T. Soutter, Surviving

230. | Appeal from the Circuit Court of the United States, for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Wisconsin, and was argued by Counsel. On consideration whereof. It is now here ordered, adjudged, and decreed by this Court

Court in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Nelson

Augustus D. Mackie Plaintiff in Error, vs. 328. Etienne Villaraso State of Louisiana -	In error to the Supreme Court of the

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and on the motion of Mr Janin of Counsel for the defendant in error. It is now here ordered and adjudged by this Court that this writ of error be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Justice Nelson

The State of Ohio use
Benjamin R Cowen
Plaintiff in Error,
395. vs.
James C Wilmore

On consideration of the motion filed by Mr. Riddle to dismiss this writ of error - it is now here ordered by the Court that the said motion be postponed to the final hearing on the merits.

per Mr Jus. Nelson.

The United States
Appellants
122 vs.
Simeon Hart

On consideration of the motion filed by Mr. Leech for leave to file plea of pardon in this cause - it is now here ordered by the court that said leave be and the same is hereby granted.

per Mr Justice Nelson.

William Clark.
Appellant.
116

On consideration of the motion

Hughes for a writ of certiorari &c. It is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Justice Nelson.

The State of Georgia Complainant vs. U.S. Grant et al

No. 11 Original

On consideration of the motion filed and submitted by counsel for the complainant. It is now here ordered by the Court that leave be, and the same is hereby granted the complainant to file Bill in Equity in this cause.

per Mr Chf. Jus: Chase.

The Steamship China &c. Appellants vs. Louis Walsh et al.

123

On motion of Mr Evarts of Counsel.

Ordered by the Court that this cause be, and the same is

Severally continued to the next term.

The United States
& Wm. R. P. Crawford.
Plaintiffs in Error,
104 vs.
Henry Addison et al.

The argument of this cause was continued by Mr. J. M. Bradley and Mr Stiles of counsel for the defendant in error, and concluded by Mr Carlisle of counsel for the plaintiff in Error.

The Northern Central
Railroad Company.
Plaintiff in Error,
105 vs.
John G. Jackson

The argument of this cause was commenced by Mr Bernard Carter of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday March 17th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field
Associate Justices

Richard C. Parsons, Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

1105 The Northern Central Railroad Company. Plffs: in Error vs. John G. Jackson

The argument of this cause was continued by Mr Carter of counsel for the plaintiff in error and by Mr Fisher and Mr Fitzhugh of counsel for the defts.

in error, and concluded by Mr Carter for the plaintiff in error.

George A. Gardiner Plaintiff in Error vs. Hiram Barney.	106.	The argument of this cause was commenced by Mr G. T. Curtis of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Wednesday March 15th 1865

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Associate Justices.
Richard C. Parsons Esquire, Marshal.
James Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

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116. George H. Gardner
Plff: in Error.
vs.
Hiram Barney

The argument of this cause was continued by Mr Curtis of counsel for the plaintiff in Error, by Mr Ashton of counsel for the defendant in error,

the plaintiff in error.

117 G. A. Le More & Co.
vs. Appellants.
The United States

Wilkenburg & Doyle
112 vs. Appellants
The United States

and

Grief and Sons
246 vs. Appellants
The United States

The argument of these cases was commenced by Mr. Comins of counsel for the appellants in No 112.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock A.M.

Thursday March 19th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis.
} Associate Justices

Richard C. Parsons Esqre Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

107	G. A. Le More, Appel	vs.	The U. States.	
112	Witherbury & Doyle "	"	" " "	
246	Grieff & Zunts "	"	" " "	

The argument of these cases was continued by Mr Ashton of Special Counsel for the United States, and by Mr Welden for the Appellants and concluded by

Mr Grant of counsel for the appellants in No 246.

	Selden S. Wheeler, Appellant vs. The Mayor &c of the City of Muscatine	This cause was submitted to the consideration of the Court
108.		

on the record and printed arguments by Mr Grant of counsel for the defendant in error and by Mr Sigman of counsel for the defendant in error –

	The United States use &c S. Benbow Plaintiff in Error, vs. The Mayor &c of Iowa City.	This cause was submitted to the consideration of the
109		

Court, on the record & printed argument by Mr Grant of counsel for the plaintiff in error. (No counsel appearing for the

Thursday March 19th 1868. Continued.

	John H. McKee Claimant	On motion of Mr Corwine and consent of Mr.
111	vs: Appellant	
	The United States	

Ashton of special counsel for the United States. Ordered by the Court that this cause be, and the same is hereby continued to the next term of this Court.

	Peter Hanger Plaintiff in Error	The argument of this cause was com-
110.	vs:	
	J. S. and E. H. Abbott	

menced by Mr R Johnson of counsel for the plaintiff in error and continued by Mr Eastman of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday March 20th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice
Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis and
Stephen J. Field.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion just made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that William G. Low Esquire of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

358. The Providence Rubber Company et al - Appellants vs. Charles Goodyear, Esq. - The Union India Rubber Co. et al

Appeal from the Circuit Court of the United States for the District of Rhode Island -

This cause came on to be heard on the transcript of the record from the Court of the United States for the District of Rhode Island, and on the motion of Mr Cushing of counsel for the appellants to dismiss this appeal, stating that a prior appeal had been taken in this cause, and now pending in this Court being No 295 on the docket of the present term - On consideration whereof - It is now here ordered, adjudged, and decreed by this Court - that this appeal be, and the same is hereby dismissed.

Mr Chief Justice Chase

73

John Watts Company.
Plaintiffs in Er.
vs.
Isaac S. Kirtland

In error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and on the stipulation of counsel, for the respective parties on file, and on the motion of Mr Cushing - It is now here ordered, and adjudged by this Court that this writ of error be, and the same is hereby dismissed with costs - And that this cause be and the same is hereby remanded to the Circuit Court of the United States, for the District of Louisiana.

Present Mr Chf. Jus. Chase.

Ex parte - The Milwaukee and Minnesota Railroad Co. Petitioner	This cause was submitted to the

8 - Original -

consideration of the Court by Mr Cushing, of counsel for the petitioner -

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The State of Georgia, Complainant vs. U. S. Grant et al.	On motion of Mr Black of counsel for the complainant -

11 - orig'l -

Ordered by the Court that process do issue to the defendants in this cause returnable to the first Monday of December next..

Mr Black also moved the Court for a notice for preliminary injunction in this cause. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider —

Ex parte W. D. McGroot, Petitioner	This cause was argued by Mr Brent of counsel for the petitioner.
10 original -	

Ex parte Joseph H. Bradley, Petitioner	This cause was argued by Mr P. Phillips and Mr Carlisle of counsel for the petitioner.
9 Original -	

The People of the State of New York ex rel. Joseph H. Greene et al Plaintiffs in Error vs. The Commissioners of Taxes & assessments for the City & County of New York.	In error to the Court of Appeals of the State of New York.
148	

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and on the stipulation of counsel for the respective

ordered, and adjudged by this Court, that this writ of error be, and the same is hereby dismissed with costs.

per Mr. Chf. Jus. Chase.

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110 Peter Hanger
Plaintiff in Error
vs.
J. Sand & A. Abbott

The argument of this cause was continued by Mr Eastman of counsel for the defendants in error and concluded by Mr R. Johnson, of counsel for the plaintiff in error.

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113 J. H. Clark et al
Appellants
vs.
The United States

This cause was argued by Mr Solicitor Norton of counsel for the appellees and submitted on printed argument by Mr Jolliffe of counsel for the appellants.

Friday March 20th 1868, continued.

The United States Appellants vs: Julian Hire	The argument of this cause was commenced by Mr Solicitor Norton of counsel for the United States - (No further argument being desired by the Court.)

The United States Appellants vs: Julian Hire	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of claims, and was argued by counsel - On consideration whereof - It is now here ordered, adjudged, and decreed by this Court, that this appeal be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chf: Jus: Chase.

Friday March 20th 1863 Continued –

The United States Appellants vs: 110† Francis R Tillou et al	Ordered by the Court that this cause be passed for the present – (sickness of counsel.)

William Clark Appellant vs: 116. The United States.	The argument of this cause was commenced by Mr Hughes of Counsel for the appellant.

Proclamation being made, the Court is adjourned until Monday morning at Eleven o'clock. –

Monday March 23rd 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson	Associate Justices
Robert C. Grier	
Nathan Clifford	
Noah H. Swayne	
Samuel F. Miller	
David Davis	
Stephen J. Field	

Richard C. Parsons Esquire Marshal.

David Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

Emil Grisar Plaintiff in Error, vs. Irwin McDowell	In error to the Circuit Court of the United States for the District of California.

1541.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the District of California, and was argued by Counsel. On consideration whereof. It is now here ordered, and and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

Per Mr Jus: Field

John Doe ex dem John A Poor and Margaret K Poor his wife.
Plaintiff in Err.
vs.
87. Patrick Considine and Ephraim Morgan et al.

In error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

District of Ohio, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

Dissenting - Mr Justice Swayne.
Mr Justice Grier,
Mr Justice Clifford.

The Society for Savings
Plaintiffs in Error,
vs.
Gabriel H. Coit, Treasurer
of the State of Connecticut

In error to the Supreme Court of the State of Connecticut.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Connecticut and was argued by counsel. On consideration whereof. It is now here ordered, and adjudged by

of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

Dissenting } Mr Jus: Clifford.
Mr Jus: Miller }

Henry J. Turton,
Plaintiff in Error,
vs.
John L. Dufief

In error to the Circuit Court of the United States for the District of Maryland.

97

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be and the same is hereby affirmed with costs.

Mr Jus: Grier

90

Francis R Waters.
Plaintiff in Error.
vs.
John J. Barrie and
J. Marcus Muir

In error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. In consideration whereof - It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Maryland.

per Mr Jus: Nelson.

The Steamship Virgin & Cargo. Edward C. Stiles, Claimant. Appellant

vs.

The United States

Appeal from the District Court of the United States for the Southern District of Florida.

101

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Florida, and was argued by counsel. On consideration whereof - It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby reversed - and that this cause be, and the same is hereby remanded, to the said District Court with directions to restore the vessel and cargo to the claimant without costs.

Per Mr Justice Nelson

Samuel Kail, Sebert Larson, and Erick Enwell. - Plaintiffs in Error,

393. vs.

Ira P. Wetmore

Defendant in Error.

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr Gouday, of counsel for the defendant in error - It is now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed with costs.

per Mr Justice Nelson.

Samuel Kail, William Wetmore, & David Sumstad

394 vs. Plaintiffs in Error,

In error to the Circuit

the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and on the motion of Mr Goudy of counsel for the defendant in error. It is now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed with costs.

per Mr Justice Nelson.

The Mayor &c of Washington City
Plff: in Error.
vs.
Charles S. Denison

372

On consideration of the motion filed by counsel for the plaintiff in error for a writ of supersedeas in this cause it is now here ordered by this Court that said motion be and

the same is hereby overruled.

The State of Georgia
Complainant
11 original - vs:
U. S. Grant et ac.

Ordered by the Court that notice of the motion of the counsel for the complainant for a preliminary injunction be served upon the defendants, and returned on or before Friday next.

per Mr Justice Nelson.

Robert Patterson
Plaintiff in Error
326 vs:
Emilie de la Ronde
widow & Executrix of
Pierre Roa (deceased)

Mr Phillips of counsel for the defendant in error filed return of the judge to the rule on him to show cause &c. And also filed a motion for an order on the appellant to show cause on Friday next why the rule should not be discharged and the writ

of said motion be served on Mr Durant of counsel.

William Clark Appellant vs. 116 The United States.	The argument of this cause was continued by Mr Asst. Solicitor Hord and Mr Solicitor Norton of counsel for the appellees - (the Court declined to hear further argument on part of the appellant -)

John S. Gillet et al., Appellants vs. 119 The United States	The argument of this cause was commenced by Mr. McPherson of counsel for the appellants continued by Mr Solicitor Norton of counsel for the appellees, and concluded by Mr Carlisle for the appellants.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday March 24th 1868.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis and
Stephen J Field
} Associate Justices

Richard C Parsons Esquire Marshal.
Daniel Kesley Middleton. Clerk.

Proclamation being made the Court is opened.

The United States Appellants. vs. Henry E Kyzer Etc Respt	The argument of this cause was commenced by Mr Solicitor Norton of counsel for the appellants, continued by Mr Lyon of counsel for the appellees, and concluded by Mr Norton of counsel for the appellants.

115

	The United States Appellants vs: Josiah F. Crosby val.	This cause was argued by Mr Leech of counsel for the appellees. No counsel

120.

appearing for the appellants.

	The United States Appellants vs: H. S. and J. S. Gillett	This cause was argued by Mr Leech of counsel for the appellees.

121.

No counsel appearing for the appellants.

	The United States Appellants vs: Simeon Hall	This cause was argued by Mr Leech of counsel for the appel-

122

lees. No counsel appearing for the appellants.

	The Etna Insurance Co. val. Plaintiffs in Error. vs: Doe a dem. A. C. Hallock val.	Ordered by the Court that

124.

this cause be passed for the present.

David Gordon et al. Appellants vs. The United States	This cause was argued by Mr Solicitor Norton of counsel

125

for the appellees and submitted on printed argument by Mr Bennett of counsel for the appellants.

Leonard J. Smith Plaintiff in Err. vs. Clinton Cockrill	This cause was argued by Mr Hendricks of counsel for

128.

the plaintiff in error and submitted on printed argument by Mr Wheat of counsel for the defendant in error.

The Steamer James Battle &c Appellants. vs. The United States	This cause was argued by Mr Na

129.

Thaniel Wilson of counsel for the captors, and submitted on printed argument by Mr Ashton of counsel for the appellees. (No counsel appearing for the appellants.)

The Louisiana Mutual Insurance Company - Plaintiff in Error. vs: The United States	Ordered by the Court that this cause be continued to the next

130. term - per stipulation of counsel filed.

Thomas St. Peirse Appellant vs: The United States	On motion of Mr Cushing of counsel.

131. Ordered by the Court that this cause be, and the same is hereby continued to the next

Tuesday March 24th 1868. Continued.

Madeleine H. Girard et al. Plaintiffs in Error. v.s. The City of Philadelphia	Ordered by the Court that this cause

132.

be and the same is hereby continued to the next term.

Proclamation being made the Court is adjourned until to-morrow morning at Eleven o'clock.